

[(c)](D) A public provider and its agents shall be liable for the negligent acts or omissions of the public provider and its agents in providing projects or services to, or performing duties for or on behalf of, a community service program to the extent permitted by the provisions of the Maryland Tort Claims Act or the Local Government Tort Claims Act.

[(d)](E) This section does not affect and may not be construed as affecting:

- (1) The liability of an offender;
- (2) Any immunities from civil liability or any defense established by any other provision of the Code or at common law;
- (3) Any limitation on damages established by law to which a provider or its agents otherwise may be entitled; or
- (4) The liability of a provider or its agents for an act or omission of the provider or its agents that constitutes gross negligence, reckless or wanton misconduct, or intentionally tortious conduct.

[(e)](F) This section does not create, and may not be construed as creating, a new cause of action or substantive legal right against a provider or its agents.

#### **Article – Health – General**

15-103.

(a) (1) The Secretary shall administer the Maryland Medical Assistance Program.

(2) The Program:

(i) Subject to the limitations of the State budget, shall provide comprehensive medical and other health care services for indigent individuals or medically indigent individuals or both;

(ii) Shall provide, subject to the limitations of the State budget, comprehensive medical and other health care services for all eligible pregnant women and, at a minimum, all children currently under the age of 1 whose family income falls below 185 percent of the poverty level, as permitted by the federal law;

(iii) Shall provide, subject to the limitations of the State budget, family planning services to women currently eligible for comprehensive medical care and other health care under item (ii) of this paragraph for 5 years after the second month following the month in which the woman delivers her child;

(iv) Shall provide, subject to the limitations of the State budget, comprehensive medical and other health care services for all children from the age of 1 year up through and including the age of 5 years whose family income falls below 133 percent of the poverty level, as permitted by the federal law;

(v) Shall provide, subject to the limitations of the State budget, comprehensive medical care and other health care services for all children born after