

(g) After the filing of an election to waive arbitration under this section, if a party joins an additional health care provider as a defendant in an action, the party shall file a certificate of qualified expert required by § 3-2A-04(b) of this subtitle with respect to the additional health care provider.

(h) In any case subject to this section, the procedures of § 3-2A-06(f) of this subtitle shall apply.

(I) (1) IF THE PARTIES MUTUALLY AGREE TO A NEUTRAL CASE EVALUATION, THE CIRCUIT COURT OR UNITED STATES DISTRICT COURT, TO WHICH THE CASE HAS BEEN TRANSFERRED AFTER THE WAIVER OF ARBITRATION, SHALL MAY REFER THE CASE TO THE HEALTH CLAIMS ARBITRATION OFFICE NOT LATER THAN 6 MONTHS AFTER A COMPLAINT IS FILED UNDER SUBSECTION (C) OF THIS SECTION.

(2) (I) ON RECEIPT OF THE CASE, THE DIRECTOR SHALL SEND TO THE PARTIES A LIST OF SIX ATTORNEYS WHO:

1. MEET THE QUALIFICATIONS LISTED IN § 3-2A-03(C)(3) OF THIS SUBTITLE; AND

2. HAVE TRIED AT LEAST THREE HEALTH CARE MALPRACTICE CASES.

(II) EACH PARTY MAY STRIKE TWO NAMES FROM THE LIST.

(III) IF THE CLAIM IS AGAINST MORE THAN ONE HEALTH CARE PROVIDER, WHETHER DIRECTLY BY A CLAIMANT OR AS A RESULT OF A THIRD-PARTY CLAIM, THE HEALTH CARE PROVIDERS CLAIMED AGAINST SHALL BE TREATED AS A SINGLE PARTY AND SHALL EXERCISE THEIR STRIKES JOINTLY.

(IV) IF THERE IS MORE THAN ONE CLAIMANT, THE CLAIMANTS SHALL BE TREATED AS A SINGLE PARTY AND SHALL EXERCISE THEIR STRIKES JOINTLY.

(V) IF MULTIPLE CLAIMANTS OR MULTIPLE HEALTH CARE PROVIDERS FAIL TO AGREE ON THEIR STRIKES OR FAIL TO RETURN THEIR STRIKE LIST TO THE DIRECTOR WITHIN THE TIME SPECIFIED IN PARAGRAPH (VI) OF THIS SUBSECTION, THE DIRECTOR SHALL MAKE THE STRIKES ON THEIR BEHALF.

(VI) THE STRIKES SHALL BE SUBMITTED TO THE DIRECTOR WITHIN 10 DAYS AFTER DELIVERY OF THE LIST.

(VII) THE DIRECTOR SHALL APPOINT AN EVALUATOR FROM THE UNSTRICKEN NAMES ON THE LIST.

(3) UPON APPOINTMENT, THE EVALUATOR SHALL SCHEDULE A NEUTRAL CASE EVALUATION SESSION TO BE HELD WITHIN 45 DAYS AFTER THE APPOINTMENT TO PURSUE THE NEUTRAL CASE EVALUATION OF THE CLAIM OR TO RESOLVE ANY ISSUES TO WHICH THE PARTIES AGREE TO STIPULATE BEFORE TRIAL.