

(4) "Health care provider" has the same meaning stated in § 3-2A-01 of the Courts Article.

(5) "Physician" means any physician licensed to practice medicine in the State.

(6) "Suit" means any civil action, including any health care malpractice action filed with the health claims arbitration office, brought against a volunteer or physician or a charitable organization by virtue of the volunteer's or physician's act or omission in providing services or performing duties on behalf of the charitable organization.

(7) "Volunteer" means an officer, director, trustee, or other person who provides services or performs duties on behalf of a charitable organization without receiving compensation.

(b) (1) A volunteer who is a health care provider or physician who renders health care services voluntarily and without compensation to any person seeking health care ~~at~~ OR THROUGH a charitable organization is not liable, for any amount in excess of any applicable limit of insurance coverage, in any suit for civil damages for any act or omission resulting from the rendering of such services unless the act or omission constitutes:

- (i) Willful or wanton misconduct;
- (ii) Gross negligence; or
- (iii) Intentionally tortious conduct.

(2) A volunteer who is a health care provider or physician who renders health care services voluntarily and without compensation to any person seeking health care through a charitable organization chartered to provide health care services to homeless or indigent individuals is not liable, for any amount in excess of any applicable limit of insurance coverage, in any suit for civil damages for any act or omission resulting from the rendering of such services unless the act or omission constitutes:

- (i) Willful or wanton misconduct;
- (ii) Gross negligence; or
- (iii) Intentionally tortious conduct.

(c) (1) This section does not create, and may not be construed as creating, a new cause of action or substantive legal right against a physician or volunteer who is a health care provider.

(2) This section does not affect, and may not be construed as affecting, any immunities from civil liability or defenses established by any other provision of the Code or available at common law, to which a volunteer who is a health care provider or physician may be entitled.