

~~(2000 Replacement Volume and 2002 Supplement)~~

~~(As enacted by Section 1 of this Act)~~

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article - Courts and Judicial Proceedings

3-2A-04.

(a) (1) A person having a claim against a health care provider for damage due to a medical injury shall file his claim with the Director, and, if the claim is against a physician, the Director shall forward copies of the claim to the State Board of [Physician Quality Assurance and the Medical and Chirurgical Faculty of the State of Maryland] PHYSICIANS. The Director shall cause a copy of the claim to be served upon the health care provider by the appropriate sheriff in accordance with the Maryland Rules. The health care provider shall file a response with the Director and serve a copy on the claimant and all other health care providers named therein within the time provided in the Maryland Rules for filing a responsive pleading to a complaint. The claim and the response may include a statement that the matter in controversy falls within one or more particular recognized specialties.

(2) A third-party claim shall be filed within 30 days of the response of the third-party claimant to the original claim unless the parties consent to a later filing or a later filing is allowed by the panel chairman for good cause shown.

(3) A claimant may not add a new defendant after the arbitration panel has been selected, or 10 days after the prehearing conference has been held, whichever is later.

(4) Until all costs attributable to the first filing have been satisfied, a claimant may not file a second claim on the same or substantially the same grounds against any of the same parties.

Article - Health Occupations

14-101.

(a) In this title the following words have the meanings indicated.

(b) "Board" means the State Board of [Physician Quality Assurance] PHYSICIANS.

(c) "Civil action" includes a health care malpractice claim under Title 3, Subtitle 2A of the Courts Article.

(d) "Faculty" means the Medical and Chirurgical Faculty of the State of Maryland.

(e) "Hospital" has the meaning stated in § 19-301 of the Health - General Article.