

(2002 Replacement Volume)

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

Article - Commercial Law

~~13-104.~~

~~This title does not apply to:~~

~~(1) The professional services of a certified public accountant, architect, clergyman, professional engineer, lawyer, veterinarian, insurance company authorized to do business in the State, insurance producer licensed by the State, Christian Science practitioner, land surveyor, property line surveyor, chiropractor, optometrist, physical therapist, podiatrist, real estate broker, associate real estate broker, or real estate salesperson, [or] medical or dental practitioner, OR HEALTH CARE PROVIDER, AS DEFINED IN § 3-2A-01 OF THE COURTS ARTICLE;~~

~~(2) A public service company, to the extent that the company's services and operations are regulated by the Public Service Commission; or~~

~~(3) A television or radio broadcasting station or a publisher or printer of a newspaper, magazine, or other form of printed advertising who broadcasts, publishes, or prints an advertisement which violates this title, unless the station, publisher, or printer engages in an unfair or deceptive trade practice in the sale of its own goods or services or has knowledge that the advertising is in violation of this title.~~

13-408.

(D) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION, A PERSON MAY NOT BRING AN ACTION UNDER THIS SECTION TO RECOVER FOR INJURIES SUSTAINED AS A RESULT OF THE PROFESSIONAL SERVICES PROVIDED BY A HEALTH CARE PROVIDER, AS DEFINED IN § 3-2A-01 OF THE COURTS ARTICLE.

Article - Courts and Judicial Proceedings

3-2A-01.

(a) In this subtitle the following terms have the meanings indicated unless the context of their use requires otherwise.

(e) "Health care provider" means a hospital, a related institution as defined in § 19-301 of the Health - General Article, a physician, an osteopath, an optometrist, a chiropractor, a registered or licensed practical nurse, a dentist, a podiatrist, a psychologist, a licensed certified social worker-clinical, and a physical therapist, licensed or authorized to provide one or more health care services in Maryland. "Health care provider" does not mean any nursing institution conducted by and for those who rely upon treatment by spiritual means through prayer alone in accordance with the tenets and practices of a recognized church or religious denomination.