

(e) Subsection (d)(1) of this section does not apply to:

(1) A civil action brought by a party to the proceedings of the medical review committee who claims to be aggrieved by the decision of the medical review committee; or

(2) Any record or document that is considered by the medical review committee and that otherwise would be subject to discovery and introduction into evidence in a civil trial.

(f) (1) A person shall have the immunity from liability described under § 5-637 of the Courts and Judicial Proceedings Article for any action as a member of the medical review committee or for giving information to, participating in, or contributing to the function of the medical review committee.

(2) A CONTRIBUTION TO THE FUNCTION OF A MEDICAL REVIEW COMMITTEE INCLUDES ANY STATEMENT BY ANY PERSON, REGARDLESS OF WHETHER IT IS A DIRECT COMMUNICATION WITH THE MEDICAL REVIEW COMMITTEE, THAT IS MADE WITHIN THE CONTEXT OF THE PERSON'S EMPLOYMENT OR IS MADE TO A PERSON WITH A PROFESSIONAL INTEREST IN THE FUNCTIONS OF A MEDICAL REVIEW COMMITTEE AND IS INTENDED TO LEAD TO REDRESS OF A MATTER WITHIN THE SCOPE OF A MEDICAL REVIEW COMMITTEE'S FUNCTIONS.

(g) Notwithstanding this section, §§ 14-410 and 14-412 of this ~~title~~ ARTICLE apply to:

(1) The Board OF PHYSICIAN QUALITY ASSURANCE; and

(2) Any other entity, to the extent that it is acting in an investigatory capacity for the Board OF PHYSICIAN QUALITY ASSURANCE.

1-402.

(a) In accordance with the Health Care Quality Improvement Act of 1986, the State elects not to be governed by the provisions of the Act that provide limitations on damages for suits brought under State law against medical review bodies and to physicians participating in professional peer review activities.

(b) For suits brought under State law, the State shall be governed by this [title] SUBTITLE.

SECTION ~~2~~ 3 AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2002.

Approved April 25, 2002.