

~~(ii) Has completed an equivalent of an American Red Cross course in advanced first aid, as determined by the Secretary of Health and Mental Hygiene; or~~

~~(iii) Is certified or licensed by this State as an emergency medical services provider;~~

~~(3) A volunteer fire department, ambulance and rescue squad whose members have immunity; and~~

~~(4) A corporation when its fire department personnel are immune under paragraph (2) of this subsection.~~

~~(e) An individual who is not covered otherwise by this section is not civilly liable for any act or omission in providing assistance or medical aid to a victim [at]:~~

~~(1) AT the scene of an emergency, if:~~

~~[(1)] (I) The assistance or aid is provided in a reasonably prudent manner;~~

~~[(2)] (II) The assistance or aid is provided without fee or other compensation; and~~

~~[(3)] (III) The individual relinquishes care of the victim when someone who is licensed or certified by this State to provide medical care or services becomes available to take responsibility; OR~~

~~(2) IN A MEDICAL FACILITY, IF:~~

~~(I) THE VICTIM INITIALLY VISITED THE EMERGENCY DEPARTMENT OF THE MEDICAL FACILITY REQUESTING EXAMINATION OR TREATMENT FOR AN EMERGENCY MEDICAL CONDITION;~~

~~(II) THE INDIVIDUAL IS A HEALTH CARE PROVIDER AS DEFINED IN § 3-2A-01 OF THIS ARTICLE;~~

~~(III) THE ACT OR OMISSION IS NOT ONE OF GROSS NEGLIGENCE;~~

~~(IV) THE TIMING AND TYPE OF DIAGNOSIS AND TREATMENT ARE NOT AFFECTED BY FINANCIAL CONSIDERATIONS; AND~~

~~(V) THE INDIVIDUAL IS ACTING IN FULL COMPLIANCE WITH THE FEDERAL EMERGENCY MEDICAL TREATMENT AND ACTIVE LABOR ACT (EMTALA) AND THE REGULATIONS ADOPTED UNDER THAT ACT.~~

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In the absence of an affirmative showing of malice or bad faith, each arbitrator[, ] OR INDIVIDUAL CONDUCTING ALTERNATIVE DISPUTE RESOLUTION in a health care malpractice claim OR ACTION under Title 3, Subtitle 2A of this article from the time of acceptance of appointment has immunity from suit for any act or decision made during tenure and within the scope of designated authority.