

~~(2004 Replacement Volume)~~

BY adding to

Article – State Government

Section 6–301 through 6–308, inclusive, to be under the new subtitle “Subtitle 3.
People’s Insurance Counsel”

Annotated Code of Maryland

(2004 Replacement Volume)

BY repealing and reenacting, without amendments,

Article – Tax – General

Section 10–104

Annotated Code of Maryland

(2004 Replacement Volume)

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–01.

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

(b) “Arbitration panel” means the arbitrators selected to determine a health care malpractice claim in accordance with this subtitle.

(c) “Court” means a circuit court for a county.

(d) “Director” means the Director of the Health Claims Arbitration Office.

(E) “ECONOMIC DAMAGES” RETAINS ITS JUDICIALLY DETERMINED MEANING.

[(e)] (F) (1) “Health care provider” means a hospital, a related institution as defined in § 19–301 of the Health – General Article, A MEDICAL DAY CARE CENTER, A HOSPICE CARE PROGRAM, AN ASSISTED LIVING PROGRAM, A FREESTANDING AMBULATORY CARE FACILITY AS DEFINED IN § 19–3B–01 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.

(2) “Health care provider” does not [mean] INCLUDE 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.

[(f)] (G) “Medical injury” means injury arising or resulting from the rendering or failure to render health care.