

9-124.

~~(A) IN A CIVIL ACTION, IF A COURT DETERMINES THAT SCIENTIFIC, TECHNICAL, OR OTHER SPECIALIZED KNOWLEDGE WILL ASSIST THE TRIER OF FACT TO UNDERSTAND THE EVIDENCE OR TO DETERMINE A FACT IN ISSUE, A WITNESS DETERMINED BY THE COURT TO BE QUALIFIED AS AN EXPERT BY KNOWLEDGE, SKILL, EXPERIENCE, TRAINING, OR EDUCATION MAY TESTIFY CONCERNING THE EVIDENCE OR FACT IN ISSUE IN THE FORM OF AN OPINION OR OTHERWISE ONLY IF THE FOLLOWING CRITERIA ARE MET:~~

~~(1) THE TESTIMONY IS BASED ON SUFFICIENT FACTS OR DATA;~~

~~(2) THE TESTIMONY IS THE PRODUCT OF RELIABLE PRINCIPLES AND METHODS; AND~~

~~(3) THE WITNESS HAS APPLIED THE PRINCIPLES AND METHODS RELIABLY TO THE FACTS OF THE CASE.~~

~~(B) IF A COURT CONSIDERS IT NECESSARY OR ON MOTION BY A PARTY, THE COURT MAY, AS A PRELIMINARY MATTER AND OUT OF THE PRESENCE OF A JURY, HEAR EVIDENCE REGARDING THE CRITERIA IN SUBSECTION (A) OF THIS SECTION, INCLUDING HEARING TESTIMONY FROM THE PROPOSED EXPERT WITNESS.~~

10-920.

~~(A) IN THIS SECTION, "HEALTH CARE PROVIDER" HAS THE MEANING STATED IN § 3-2A-01 OF THIS ARTICLE.~~

~~(B) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, IN AN ACTION AGAINST A HEALTH CARE PROVIDER UNDER TITLE 3, SUBTITLE 2A OF THIS ARTICLE ARISING ON OR AFTER JANUARY 1, 2005, AN EXPRESSION OF REGRET OR APOLOGY MADE BY OR ON BEHALF OF THE HEALTH CARE PROVIDER, INCLUDING AN EXPRESSION OF REGRET OR APOLOGY MADE IN WRITING, ORALLY, OR BY CONDUCT, IS INADMISSIBLE AS EVIDENCE OF AN ADMISSION OF LIABILITY OR AS EVIDENCE OF AN ADMISSION AGAINST INTEREST.~~

10-920.

(A) IN THIS SECTION, "HEALTH CARE PROVIDER" HAS THE MEANING STATED IN § 3-2A-01 OF THIS ARTICLE.

(B) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, IN A PROCEEDING SUBJECT TO TITLE 3, SUBTITLE 2A OF THIS ARTICLE OR A CIVIL ACTION AGAINST A HEALTH CARE PROVIDER, AN EXPRESSION OF REGRET OR APOLOGY MADE BY OR ON BEHALF OF THE HEALTH CARE PROVIDER, INCLUDING AN EXPRESSION OF REGRET OR APOLOGY MADE IN WRITING, ORALLY, OR BY CONDUCT, IS INADMISSIBLE AS EVIDENCE OF AN ADMISSION OF LIABILITY OR AS EVIDENCE OF AN ADMISSION AGAINST INTEREST.

(2) AN ADMISSION OF LIABILITY OR FAULT THAT IS PART OF OR IN ADDITION TO A COMMUNICATION MADE UNDER PARAGRAPH (1) OF THIS