

CHAPTER 429

(House Bill 1090)

AN ACT concerning

Volunteer Sports Program Physicians – Liability

FOR the purpose of limiting the liability of volunteer sports program physicians under certain circumstances; providing that this Act does not affect certain immunities or defenses; providing certain exceptions; limiting the activities to which this Act shall apply; defining terms; and generally relating to the liability of volunteer sports program physicians.

BY adding to

Article – Courts and Judicial Proceedings

Section 5-309.4

Annotated Code of Maryland

(1989 Replacement Volume and 1990 Supplement)

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

Article – Courts and Judicial Proceedings

5-309.4.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) “PHYSICIAN” MEANS ANY PHYSICIAN, INCLUDING A DOCTOR OF OSTEOPATHY, WHO IS LICENSED TO PRACTICE MEDICINE IN THE STATE.

(3) “SPORTS PROGRAM” MEANS A PROGRAM OR PORTION OF A PROGRAM OF AN INSTITUTION OF HIGHER EDUCATION OR OF A PUBLIC OR NONPUBLIC SCHOOL THAT IS ORGANIZED FOR INTRAMURAL OR INTERSCHOOL RECREATIONAL PURPOSES WITH ACTIVITIES THAT INCLUDE BASKETBALL, BASEBALL, FOOTBALL, SOCCER, TRACK, OR ANY OTHER COMPETITIVE SPORTS.

(4) “COMPENSATION” DOES NOT INCLUDE:

(I) ACTUAL AND NECESSARY EXPENSES THAT ARE INCURRED BY A PHYSICIAN IN CONNECTION WITH THE SERVICES THE PHYSICIAN PERFORMS FOR A SPORTS PROGRAM AND ARE REIMBURSED; OR

(II) THE LISTING WITHOUT COST TO THE PHYSICIAN OF THE PHYSICIAN’S NAME IN A SCHOOL OR EVENT PUBLICATION.