

CHAPTER 452

(House Bill 188)

AN ACT concerning

Certificates of Merit - Licensed Professionals

FOR the purpose of requiring a person who originally files a certain claim in a circuit court against certain professionals to file a certificate of a qualified expert; specifying the contents of the certificate; requiring the certificate to be filed within a certain period of time and be served on certain persons; providing certain exceptions; establishing qualifications of a qualified expert; providing for certain discovery; defining certain terms; providing for the application of this Act; and generally relating to malpractice actions against certain professionals.

BY adding to

Article - Courts and Judicial Proceedings

Section 3-2C-01 and 3-2C-02 to be under the new subtitle "Subtitle 2C. Malpractice Claims Against Licensed Professionals"

Annotated Code of Maryland

(1995 Replacement Volume and 1997 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

SUBTITLE 2C. MALPRACTICE CLAIMS AGAINST LICENSED PROFESSIONALS.

3-2C-01.

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

(B) "CLAIM" MEANS A CIVIL ACTION, INCLUDING AN ORIGINAL CLAIM, COUNTERCLAIM, CROSS-CLAIM, OR THIRD-PARTY CLAIM, ORIGINALLY FILED IN CIRCUIT COURT AGAINST A LICENSED PROFESSIONAL THAT IS BASED ON THE LICENSED PROFESSIONAL'S ALLEGED NEGLIGENT ACT OR OMISSION IN RENDERING PROFESSIONAL SERVICES, WITHIN THE SCOPE OF THE PROFESSIONAL'S LICENSE, PERMIT, OR CERTIFICATE, FOR OTHERS.

(C) "LICENSED PROFESSIONAL" MEANS:

(1) AN ARCHITECT LICENSED UNDER TITLE 3 OF THE BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE;

(2) AN INTERIOR DESIGNER CERTIFIED UNDER TITLE 8 OF THE BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE;