

(3) A LANDSCAPE ARCHITECT LICENSED UNDER TITLE 9 OF THE BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE;

(4) A PROFESSIONAL ENGINEER LICENSED UNDER TITLE 14 OF THE BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE; OR

(5) A PROFESSIONAL LAND SURVEYOR OR PROPERTY LINE SURVEYOR LICENSED UNDER TITLE 15 OF THE BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE.

(D) (1) "QUALIFIED EXPERT" MEANS AN INDIVIDUAL WHO:

~~(I) IS A LICENSED PROFESSIONAL, OR A COMPARABLY LICENSED OR CERTIFIED PROFESSIONAL UNDER THE LAWS OF ANOTHER STATE OR THE DISTRICT OF COLUMBIA, IN THE SAME PROFESSION AS THE LICENSED PROFESSIONAL AGAINST WHOM A CLAIM IS FILED; AND~~

~~(II) DOES NOT DEVOTE MORE THAN 20% OF THE INDIVIDUAL'S PROFESSIONAL OR OCCUPATIONAL ACTIVITIES ANNUALLY TO ACTIVITIES THAT DIRECTLY RELATE TO EXPERT SERVICES FOR MALPRACTICE CLAIMS IS A LICENSED PROFESSIONAL, OR COMPARABLY LICENSED OR CERTIFIED PROFESSIONAL UNDER THE LAWS OF ANOTHER JURISDICTION, KNOWLEDGEABLE IN THE ACCEPTED STANDARD OF CARE IN THE SAME DISCIPLINE AS THE LICENSED PROFESSIONAL AGAINST WHOM A CLAIM IS FILED.~~

(2) "QUALIFIED EXPERT" DOES NOT INCLUDE:

(I) A PARTY TO THE CLAIM;

(II) AN EMPLOYEE OR PARTNER OF A PARTY;

(III) AN EMPLOYEE OR STOCKHOLDER OF A PROFESSIONAL CORPORATION OF WHICH A PARTY IS A STOCKHOLDER; OR

(IV) A PERSON HAVING A FINANCIAL INTEREST IN THE OUTCOME OF THE CLAIM.

3-2C-02.

(A) (1) EXCEPT AS PROVIDED IN SUBSECTIONS (B) AND (C) OF THIS SECTION, A CLAIM SHALL BE DISMISSED, WITHOUT PREJUDICE, IF THE CLAIMANT FAILS TO FILE A CERTIFICATE OF A QUALIFIED EXPERT WITH THE COURT.

(2) A CERTIFICATE OF A QUALIFIED EXPERT SHALL:

(I) CONTAIN A STATEMENT FROM A QUALIFIED EXPERT ATTESTING THAT THE LICENSED PROFESSIONAL AGAINST WHOM THE CLAIM IS FILED FAILED TO MEET AN APPLICABLE STANDARD OF PROFESSIONAL STANDARDS OF CARE;