

# HOUSE BILL 107

C4, L6  
SB 895/11 – FIN

5lr0353  
CF 5lr0351

---

By: **Montgomery County Delegation**

Introduced and read first time: January 23, 2015

Assigned to: Economic Matters

---

## A BILL ENTITLED

1 AN ACT concerning

2 **Medical Professional Liability Insurance for Nonprofit Health Care Providers**

3 **MC 4-15**

4 FOR the purpose of requiring counties to provide certain minimum amounts of medical  
5 professional liability insurance coverage for certain nonprofit health care providers;  
6 providing for the construction of certain provisions of this Act; defining certain terms;  
7 and generally relating to medical professional liability insurance for certain  
8 nonprofit health care providers.

9 BY adding to

10 Article – Insurance

11 Section 19-104.2

12 Annotated Code of Maryland

13 (2011 Replacement Volume and 2014 Supplement)

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

16 **Article – Insurance**

17 **19-104.2.**

18 (A) IN THIS SECTION, “NONPROFIT HEALTH CARE PROVIDER” MEANS AN  
19 ORGANIZATION, AN INSTITUTION, AN ASSOCIATION, A SOCIETY, OR A CORPORATION,  
20 OTHER THAN A LICENSED HOSPITAL, THAT IS EXEMPT FROM TAXATION UNDER §  
21 501(C)(3) OF THE INTERNAL REVENUE CODE AND THAT:

22 (1) PROVIDES HEALTH CARE SERVICES;

---

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           **(2) IS NOT COVERED BY THE FEDERAL TORT CLAIMS ACT; AND**

2           **(3) HAS BEEN APPROVED BY THE COUNTY.**

3           **(B) A COUNTY SHALL PROVIDE A NONPROFIT HEALTH CARE PROVIDER**  
4 **WITHIN ITS JURISDICTION WITH MEDICAL PROFESSIONAL LIABILITY INSURANCE**  
5 **THAT PROVIDES COVERAGE IN THE AMOUNT OF:**

6           **(1) \$200,000 PER OCCURRENCE OR CLAIM; AND**

7           **(2) \$500,000 PER TOTAL CLAIMS THAT ARISE FROM THE SAME**  
8 **OCCURRENCE.**

9           **(C) THIS SECTION MAY NOT BE CONSTRUED AS LIMITING THE LIABILITY OF**  
10 **A NONPROFIT HEALTH CARE PROVIDER TO THE AMOUNT OF COVERAGE**  
11 **DESIGNATED IN SUBSECTION (B) OF THIS SECTION.**

12           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
13 October 1, 2015.