

## Article - Health Occupations

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§10–319.

(a) In this section, “impaired occupational therapist professionals committee” means a committee that:

- (1) Is defined in subsection (b) of this section; and
- (2) Performs any of the functions listed in subsection (d) of this section.

(b) For purposes of this section, an impaired occupational therapist professionals committee is a committee of the Board or a committee of the Maryland Occupational Therapy Association that:

- (1) Is recognized by the Board; and
- (2) Includes but is not limited to occupational therapists.

(c) An impaired occupational therapist professionals committee of the Board or recognized by the Board may function:

- (1) Solely for the Board; or
- (2) Jointly with an impaired professionals committee representing another board or boards.

(d) For purposes of this section, an impaired occupational therapist professionals committee evaluates and provides assistance to any occupational therapist or occupational therapy assistant in need of treatment and rehabilitation for alcoholism, drug abuse, chemical dependency, or other physical, emotional, or mental condition.

(e) (1) Except as otherwise provided in this subsection, the proceedings, records, and files of the impaired occupational therapist professionals committee are not discoverable and are not admissible in evidence in any civil action arising out of matters that are being or have been reviewed and evaluated by the impaired occupational therapist professionals committee.

(2) Paragraph (1) of this subsection does not apply to any record or document that is considered by the impaired occupational therapist professionals committee and that otherwise would be subject to discovery or introduction into evidence in a civil action.

(3) For purposes of this subsection, civil action does not include a proceeding before the Board or judicial review of a proceeding before the Board.

(f) A person who acts in good faith and within the scope of jurisdiction of an impaired occupational therapist professionals committee is not civilly liable for any action as a member of the impaired occupational therapist professionals committee or for giving information to, participating in, or contributing to the function of the impaired occupational therapist professionals committee.

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