
By: Delegate Vallario

Introduced and read first time: February 27, 1996

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Medical and Dental Records and Writings - Admissibility**

3 FOR the purpose of making certain medical and dental records and writings admissible in
4 certain civil trials without presenting certain testimony; requiring certain notice to
5 be given; and generally relating to the admissibility of medical and dental records
6 and writings.

7 BY adding to

8 Article - Courts and Judicial Proceedings

9 Section 10-104

10 Annotated Code of Maryland

11 (1995 Replacement Volume and 1995 Supplement)

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

14 **Article - Courts and Judicial Proceedings**

15 10-104.

16 (A) A WRITING OR RECORD DESCRIBED IN THIS SECTION IS ADMISSIBLE
17 UNDER THIS SECTION IF:

18 (1) THE WRITING OR RECORD IS OFFERED IN THE TRIAL OF A CIVIL
19 ACTION IN THE DISTRICT COURT;

20 (2) THE PARTY WHO WISHES TO INTRODUCE THE WRITING OR RECORD
21 GIVES ALL OTHER PARTIES NOTICE OF THE INTENT TO INTRODUCE THE WRITING
22 OR RECORD WITHOUT A PHYSICIAN'S TESTIMONY AT LEAST 20 DAYS BEFORE THE
23 BEGINNING OF THE TRIAL; AND

24 (3) THE WRITING OR RECORD IS OTHERWISE ADMISSIBLE.

25 (B) A WRITING OR RECORD MADE TO DOCUMENT A MEDICAL OR DENTAL
26 CONDITION, A PHYSICIAN'S OR DENTIST'S MEDICAL OR DENTAL OPINION, OR THE
27 GIVING OF MEDICAL OR DENTAL TREATMENT IS ADMISSIBLE WITHOUT THE
28 SUPPORT OF THE TESTIMONY OF A PHYSICIAN OR DENTIST EITHER AS THE MAKER
29 OR THE KEEPER OF THE WRITING OR RECORD TO PROVE THE EXISTENCE OF A
30 MEDICAL CONDITION, THE OPINION, OR THE GIVING OF MEDICAL TREATMENT.

1 (C) A WRITTEN STATEMENT OR BILL FOR MEDICAL, DENTAL, OR HOSPITAL
2 EXPENSES IS ADMISSIBLE WITHOUT THE SUPPORT OF THE TESTIMONY OF A
3 PHYSICIAN OR DENTIST EITHER AS THE MAKER OR THE KEEPER OF THE
4 STATEMENT OR BILL TO PROVE THE AMOUNT, FAIRNESS, AND REASONABLENESS OF
5 THE CHARGES FOR THE SERVICES OR MATERIALS PROVIDED.

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
7 October 1, 1996.