

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL NO. 423

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Health Care" and substitute "Medical, Dental, or Hospital"; strike beginning with "making" in line 3 through the semicolon in line 4; in line 5, strike "hospital, and other health care" and substitute "and hospital"; in line 7, after "procedures;" insert "altering certain time periods, before the beginning of the trial, by which certain parties shall file and serve certain notices; clarifying language;"; and in line 8, after "writings" insert "to prove certain matters".

AMENDMENT NO. 2

On page 1, in line 18, after "(a)" insert "(1)"; in lines 18 and 19, strike "a proceeding in the District Court OR A CIRCUIT COURT for"; in lines 20, 21, 23, and 25, strike "(1)", "(2)", "(3)", and "(4)", respectively, and substitute "(I)", "(II)", "(III)", and "(IV)", respectively; and after line 25, insert:

"(2) SUBJECT TO THE PROVISIONS OF PARAGRAPH (1) OF THIS SUBSECTION, THE PROVISIONS OF THIS SECTION APPLY TO A PROCEEDING IN:

(I) THE DISTRICT COURT; OR

(II) A CIRCUIT COURT IF:

1. THE CASE WAS ORIGINALLY FILED IN THE DISTRICT COURT;

2. THE CASE WAS TRANSFERRED FROM THE DISTRICT COURT TO A CIRCUIT COURT; AND

3. THE AMOUNT IN CONTROVERSY IN THE ACTION IN THE

(Over)

CIRCUIT COURT DOES NOT EXCEED THE AMOUNT SPECIFIED IN § 4-401 OF THIS ARTICLE FOR THAT TYPE OF ACTION.”.

AMENDMENT NO. 3

On page 1, in line 26, strike the brackets; and in the same line, strike “, OR OTHER HEALTH CARE”.

On page 2, in line 6, strike the brackets; in lines 6 and 7, strike “, OR OTHER HEALTH CARE PROVIDER’S”; in line 11, strike the brackets; in lines 11 and 12, strike “, OR OTHER HEALTH CARE”; in line 12, strike the brackets; in lines 12 and 13, strike “, OR OTHER HEALTH CARE PROVIDER’S”; in line 15, strike the brackets; in the same line, strike “, OR OTHER HEALTH CARE”; in line 16, strike the brackets and strike the first comma; in the same line, strike “, OR OTHER HEALTH”; in line 17, strike the brackets and the first comma; in line 17, strike “, OR OTHER HEALTH CARE PROVIDER’S”; in line 18, strike the brackets and the first comma; in line 18, strike “, OR OTHER HEALTH CARE”; in line 19, strike the brackets; in line 20, strike “, OR OTHER HEALTH CARE PROVIDER”; in line 21, strike “, DENTAL, OR OTHER HEALTH” and substitute “OR DENTAL”; in line 22, after “medical” insert “OR DENTAL”; in the same line, strike the brackets and the last comma; strike beginning with “DENTAL” in line 23 through “CARE” in the same line; in line 24, strike the brackets; in lines 24 and 25, strike “, OR OTHER HEALTH CARE”; in line 26, strike the brackets; and in the same line, strike “, OR OTHER HEALTH CARE PROVIDER”.

AMENDMENT NO. 4

On page 2, in line 1, strike “30” and substitute “60”; and in line 14, strike “15” and substitute “30”.

AMENDMENT NO. 5

On page 2, after line 28, insert:

“(E) NOTHING CONTAINED IN THIS SECTION MAY BE CONSTRUED TO LIMIT THE RIGHT OF A PARTY TO:

(1) REQUEST A SUMMONS TO COMPEL THE ATTENDANCE OF A WITNESS;

(2) EXAMINE A WITNESS WHO APPEARS AT TRIAL; OR

(3) ENGAGE IN DISCOVERY AS PROVIDED UNDER THE MARYLAND
RULES.”.