

Department of Legislative Services
Maryland General Assembly
2000 Session

FISCAL NOTE
Revised

House Bill 497 (Delegates Zirkin and Vallario)

Judiciary

Evidence - Health Care Records and Writings

This bill expands the definition of “health care provider” to include a person who is substantially similar to a health care provider under Maryland law and is regulated by another state to provide health care services. As a result, out-of-state health care providers involved in civil claims for: (1) personal injury damages; (2) medical, hospital, or disability benefits; (3) first party motor vehicle benefits; and (4) first party health insurance benefits are subject to the same evidentiary requirements as in-state health care providers. The bill provides that certain writings and records of out-of-state health care providers are admissible as evidence in these civil proceedings without the support of the health care provider’s testimony establishing the provider as the maker or custodian of the writing or record.

The bill’s requirements may only be construed prospectively and may not be applied or interpreted to have any effect on or application to any case filed before October 1, 2000.

Fiscal Summary

State Effect: The bill would not directly affect governmental operations or finances.

Local Effect: None.

Small Business Effect: Potentially minimal. Out-of-state health care providers that are small businesses and are involved in civil proceedings in Maryland may save some litigation costs by not having to provide testimony to enter certain documents into evidence.

Analysis

Current Law: Only in-state health care providers are subject to these evidentiary

requirements.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Judiciary (Administrative Office of the Courts), Department of Health and Mental Hygiene (Office of Health Care Quality, Mental Hygiene Administration), Department of Legislative Services

Fiscal Note History: First Reader - February 16, 2000
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