

BY: Environmental Matters Committee

AMENDMENTS TO SENATE BILL NO. 421

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “committees;” insert “providing for what constitutes a contribution to the function of a medical review committee for the purpose of determining certain civil immunity;”; after line 5, insert:

“BY renumbering

Article - Health Occupations

Section 14-501, 14-502, 14-501.1, 14-504 through 14-506, and 14-508, respectively  
to be Section 1-401, 1-402, and 14-501 through 14-505, respectively

Annotated Code of Maryland

(2000 Replacement Volume and 2001 Supplement)

BY repealing and reenacting, with amendments,

Article - Health Occupations

Section 1-401 and 1-402 to be under the new subtitle “Subtitle 4. Medical Review  
Committees”

Annotated Code of Maryland

(2000 Replacement Volume and 2001 Supplement)

(As enacted by Section 1 of this Act)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That  
Section(s) 14-501, 14-502, 14-501.1, 14-504 through 14-506, and 14-508, respectively, of Article -  
Health Occupations of the Annotated Code of Maryland be renumbered to be Section(s) 1-401,  
1-402, and 14-501 through 14-505, respectively.”;

strike in their entirety lines 6 through 10, inclusive; and in line 11, strike “1.” and substitute “2.”; and in lines 11 and 12, strike beginning with “BE” in line 11 down through “MARYLAND” in line 12

(Over)

and substitute “AND BE IT FURTHER ENACTED”.

AMENDMENT NO. 2

On page 1, after line 13, insert:

“SUBTITLE 4. MEDICAL REVIEW COMMITTEES.

1-401.”;

and in line 14, strike “14-501.”.

On page 3, in lines 20 and 28, in each instance, strike “14-501.1” and substitute “14-501”; and in the same lines, in each instance, strike “subtitle” and substitute “ARTICLE”.

On page 5, in line 4, after “(f)” insert “(1)”; after line 7, insert:

“(2) A CONTRIBUTION TO THE FUNCTION OF A MEDICAL REVIEW COMMITTEE INCLUDES ANY STATEMENT BY ANY PERSON, REGARDLESS OF WHETHER IT IS A DIRECT COMMUNICATION WITH THE MEDICAL REVIEW COMMITTEE, THAT IS MADE WITHIN THE CONTEXT OF THE PERSON'S EMPLOYMENT OR IS MADE TO A PERSON WITH A PROFESSIONAL INTEREST IN THE FUNCTIONS OF A MEDICAL REVIEW COMMITTEE AND IS INTENDED TO LEAD TO REDRESS OF A MATTER WITHIN THE SCOPE OF A MEDICAL REVIEW COMMITTEE'S FUNCTIONS.”;

in line 8, strike “title” and substitute “ARTICLE”; in lines 9 and 11, in each instance, after “Board” insert “OF PHYSICIAN QUALITY ASSURANCE”; after line 11, insert:

“1-402.

(a) In accordance with the Health Care Quality Improvement Act of 1986, the State elects not to be governed by the provisions of the Act that provide limitations on damages for suits brought under State law against medical review bodies and to physicians participating in professional peer review activities.

(b) For suits brought under State law, the State shall be governed by this [title] SUBTITLE.”;

and in line 12, strike “2.” and substitute “3.”.