

**Department of Legislative Services**  
Maryland General Assembly  
2002 Session

**FISCAL NOTE**  
**Revised**

Senate Bill 421

(Senator Hollinger)

Education, Health, and Environmental Affairs

Environmental Matters

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**Health Occupations - Physicians - Medical Review Committees**

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This bill alters the definition of “alternative health care system” as it relates to medical review committees to include a freestanding ambulatory care facility. The bill also defines a person’s “contribution” to the function of a medical review committee to include any statement by any person that is made within the context of the person’s employment or is made to a person with a professional interest in the medical review committee’s functions and is intended to lead to redress of a matter within the committee’s functions.

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**Fiscal Summary**

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

**Local Effect:** None.

**Small Business Effect:** Potential minimal. The bill permits small business ambulatory care facilities to create medical review committees. Ambulatory care facilities could review provider care performance, including medical errors, in an effort to improve the overall quality of care. In addition, these quality of care files are generally limited from legal discovery, thereby decreasing a facility’s liability risk.

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**Analysis**

**Current Law:** A medical review committee is a committee or board within an alternative health care system that: (1) evaluates and seeks to improve the quality of health care provided; (2) evaluates the need for and the level of performance of health

care; (3) evaluates the qualifications, competence, and performance of providers of health care; or (4) evaluates and acts on matters that relate to the discipline of any health care provider.

The proceedings, records, and files of a medical review committee are not discoverable and are not admissible in evidence in any civil action.

Alternative health care system means a system of health care delivery other than a hospital or related institution, and includes: (1) an HMO; (2) a preferred provider organization; (3) an independent practice association; (4) a nonprofit community health center; and (5) any other health care delivery system that uses a medical review committee.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Department of Health and Mental Hygiene (Office of Health Care Quality, Board of Physician Quality Assurance, Maryland Health Care Commission), Department of Legislative Services

**Fiscal Note History:** First Reader - March 6, 2002  
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