

Department of Legislative Services
Maryland General Assembly
2002 Session

FISCAL NOTE

House Bill 1259

(Delegate McHale, *et al.*)

Environmental Matters

Health Occupations - Medical Review Committees - Civil Immunity

This bill specifies under what circumstances a person has immunity from liability for contributing to the function of a medical review committee.

Fiscal Summary

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

Local Effect: None.

Small Business Effect: None.

Analysis

Bill Summary: 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 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 the committee and is intended to lead to redress of a matter within the scope of the committee’s functions.

Current Law: A medical review committee is: (1) a regulatory board or agency established by State or federal law to license, certify, or discipline a health care provider; or (2) another group of specified individuals that: (a) evaluates and seeks to improve the quality of health care provided by health care providers; (b) evaluates the need for and the level of performance of health care provided by health care providers; (c) evaluates

the qualifications, competence, and performance of health care providers; or (d) 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 confidential and are not discoverable or admissible in evidence in any civil action arising out of matters that are being reviewed and evaluated by the committee.

A person has the immunity from liability for any action as a member of the medical review committee or for giving information to, participating in, or contributing to the function of the medical review committee.

Additional Information

Prior Introductions: None.

Cross File: None.

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

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