

# HOUSE BILL 385

D3

6lr1846  
CF SB 269

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By: **Delegates Moon and Buckel**

Introduced and read first time: January 21, 2026

Assigned to: Judiciary

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## A BILL ENTITLED

1 AN ACT concerning

2 **Courts and Judicial Proceedings – Evidence – Rebuttable Presumption of**  
3 **Medical Bills**

4 FOR the purpose of establishing a rebuttable presumption in certain civil actions that a  
5 certain medical bill from a health care provider or an agent of the health care  
6 provider offered as evidence is authentic, fair, and reasonable; establishing that a  
7 party may overcome the presumption that a medical bill is authentic, fair, and  
8 reasonable by proving, by a preponderance of the evidence, that the medical bill or  
9 any charge in a medical bill is not authentic, is unfair, or is unreasonable; and  
10 generally relating to medical bills offered as evidence in a civil action.

11 BY repealing and reenacting, without amendments,  
12 Article – Courts and Judicial Proceedings  
13 Section 10–104(a)(1) and (2)  
14 Annotated Code of Maryland  
15 (2020 Replacement Volume and 2025 Supplement)

16 BY adding to  
17 Article – Courts and Judicial Proceedings  
18 Section 10–104.1  
19 Annotated Code of Maryland  
20 (2020 Replacement Volume and 2025 Supplement)

21 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
22 That the Laws of Maryland read as follows:

23 **Article – Courts and Judicial Proceedings**

24 10–104.

25 (a) (1) In this section the following terms have the meanings indicated.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(2) “Health care provider” means:

(i) A health care provider, as defined in § 3–2A–01 of this article;

(ii) An ambulatory surgical facility;

(iii) An inpatient facility that is organized primarily in the rehabilitation of disabled persons, through an integrated program of medical and other service provided under competent professional supervision;

(iv) A home health agency, as defined in § 19–401 of the Health – General Article;

(v) Any health institution, service, or program for which a certificate of need is required under Title 19 of the Health – General Article; or

(vi) A person who is:

1. Substantially similar to a health care provider described in items (i) through (v) of this paragraph; and

2. Regulated by another state to provide health care services.

**10–104.1.**

**(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.**

**(2) “HEALTH CARE PROVIDER” HAS THE MEANING STATED IN § 10–104 OF THIS SUBTITLE.**

**(3) “MEDICAL BILL” MEANS A STATEMENT OF CHARGES, AN INVOICE, OR ANY OTHER DOCUMENT PREPARED BY A HEALTH CARE PROVIDER OR AN AGENT OF A HEALTH CARE PROVIDER THAT IDENTIFIES THE COSTS OF HEALTH CARE SERVICES PROVIDED TO AN INDIVIDUAL.**

**(B) (1) IN AN ACTION FOR PERSONAL INJURY OR WRONGFUL DEATH, THERE IS A REBUTTABLE PRESUMPTION THAT:**

**(I) A MEDICAL BILL PROPERLY PROVIDED IN DISCOVERY IS AUTHENTIC; AND**

**(II) CHARGES SET FORTH IN A MEDICAL BILL PROPERLY PROVIDED IN DISCOVERY ARE FAIR AND REASONABLE.**

1           **(2) FOR THE PURPOSES OF ADMISSIBILITY, EXPERT TESTIMONY IS**  
2 **NOT REQUIRED TO PROVE THE AUTHENTICITY, FAIRNESS, OR REASONABLENESS OF**  
3 **A MEDICAL BILL DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION.**

4           **(3) A PARTY MAY OVERCOME THE PRESUMPTION BY PROVING, BY A**  
5 **PREPONDERANCE OF THE EVIDENCE, THAT THE MEDICAL BILL OR ANY CHARGE IN**  
6 **A MEDICAL BILL IS NOT AUTHENTIC, IS UNFAIR, OR IS UNREASONABLE.**

7           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
8 October 1, 2026.