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§10–104.

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

(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.

(3) "State" means a state of the United States or the District of Columbia.

(b) (1) The provisions of this section apply only to a claim for:

(i) Damages for personal injury;

(ii) Medical, hospital, or disability benefits under §§ 19-505 and 19-506 of the Insurance Article;

(iii) First party motor vehicle benefits under §§ 19-509 and 19-510 of the Insurance Article; and

(iv) First party health insurance benefits.

(2) This section does not apply to an action for damages filed under Title 3, Subtitle 2A of this article.

(3) Subject to the provisions of paragraphs (1) and (2) of this subsection, the provisions of this section apply to a proceeding in:

(i) The District Court; or

(ii) A circuit court if the amount in controversy in the action in the circuit court does not exceed the amount specified in § 4-401 of this article for that type of action.

(c) (1) A writing or record of a health care provider described in this section is admissible under this section if:

(i) The writing or record is offered in the trial of a civil action in the District Court or a circuit court;

(ii) At least 60 days, except as provided in paragraph (2) of this subsection, before the beginning of the trial, the party who intends to introduce the writing or record:

1. Serves notice of the party's intent to introduce the writing or record without the support of a health care provider's testimony, a list that identifies each writing or record, and a copy of the writing or record on all other parties as provided under Maryland Rule 1-321; and

2. Files notice of service and the list that identifies each writing or record with the court; and

(iii) The writing or record is otherwise admissible.

(2) A party who receives a notice under paragraph (1) of this subsection and intends to introduce another writing or record of a health care provider without a health care provider's testimony shall:

(i) Serve a notice of intent, a list that identifies each writing or record, and a copy of the writing or record at least 30 days before the beginning of the trial; and

(ii) File notice of service and the list that identifies each writing or record with the court.

(3) The list required under paragraphs (1) and (2) of this subsection shall include:

(i) The name of the health care provider for each writing or record; and

(ii) The date of each writing or record of the health care provider or each date of treatment by the health care provider.

(d) (1) A writing or record of a health care provider made to document a medical, dental, or other health condition, a health care provider's opinion, or the providing of health care is admissible without the support of the testimony of a health care provider as the maker or the custodian of the writing or record as evidence of the existence of a medical, dental, or health condition, the opinion, and the necessity and the providing of health care.

(2) A finder of fact may attach whatever weight to a writing or record that the finder of fact deems appropriate.

(e) (1) A written statement or bill for health care expenses is admissible without the support of the testimony of a health care provider as the maker or the custodian of the statement or bill as evidence of the amount, fairness, and reasonableness of the charges for the services or materials provided.

(2) A finder of fact may attach whatever weight to a writing or record that the finder of fact deems appropriate.

(f) Nothing contained in this section may be construed to limit the right of a party to:

(1) Request a summons to compel the attendance of a witness;

(2) Examine a witness who appears at trial; or

(3) Engage in discovery as provided under the Maryland Rules.

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