

Source:

Maryland Code/COURTS AND JUDICIAL PROCEEDINGS /TITLE 3. COURTS OF GENERAL JURISDICTION - JURISDICTION/SPECIAL CAUSES OF ACTION/SUBTITLE 2A. HEALTH CARE MALPRACTICE CLAIMS /§ 3-2A-01. Definitions.

§ 3-2A-01. Definitions.

(a) In general.- In this subtitle the following terms have the meanings indicated unless the context of their use requires otherwise.

(b) Arbitration panel.- "Arbitration panel" means the arbitrators selected to determine a health care malpractice claim in accordance with this subtitle.

(c) Court.- "Court" means a circuit court for a county.

(d) Director.- "Director" means the Director of the Health Claims Alternative Dispute Resolution Office.

(e) Economic damages.- "Economic damages" retains its judicially determined meaning.

(f) Health care provider.-

(1) "Health care provider" means a hospital, a related institution as defined in § 19-301 of the Health - General Article, a medical day care center, a hospice care program, an assisted living program, a freestanding ambulatory care facility as defined in § 19-3B-01 of the Health - General Article, a physician, an osteopath, an optometrist, a chiropractor, a registered or licensed practical nurse, a dentist, a podiatrist, a psychologist, a licensed certified social worker-clinical, and a physical therapist, licensed or authorized to provide one or more health care services in Maryland.

(2) "Health care provider" does not include any nursing institution

HG health care provider  
conducted by and for those who rely upon treatment by spiritual means through prayer alone in accordance with the tenets and practices of a recognized church or religious denomination.

(g) Medical injury.- "Medical injury" means injury arising or resulting from the rendering or failure to render health care.

(h) Noneconomic damages.- "Noneconomic damages" means:

(1) In a claim for personal injury, pain, suffering, inconvenience, physical impairment, disfigurement, loss of consortium, or other nonpecuniary injury; or

(2) In a claim for wrongful death, mental anguish, emotional pain and suffering, loss of society, companionship, comfort, protection, care, marital care, parental care, filial care, attention, advice, counsel, training, guidance, or education, or other noneconomic damages authorized under subtitle 9 of this title.

[1976, ch. 235, § 1; 1982, ch. 770, § 4; ch. 820, § 3; 1990, ch. 357; 1998, ch. 698; 2000, ch. 131; 2002, ch. 19, § 10; 2003, ch. 371; 2004 sp. sess., ch. 5, §§ 1, 5.]

© 2006 Matthew Bender & Company, Inc., a member of the LexisNexis Group. All rights reserved. Use of this product is subject to the restrictions and terms and conditions of the Matthew Bender Master Agreement.