

Health Care Malpractice Claims" be and they are hereby added to Article - Courts and Judicial Proceedings, of the Annotated Code of Maryland (1974 Volume and 1975 Supplement) to read as follows:

Article - Courts and Judicial Proceedings

SUBTITLE 2A. HEALTH CARE MALPRACTICE CLAIMS

3-2A01. DEFINITIONS.

(A) IN THIS SUBTITLE, THE FOLLOWING TERMS HAVE THE MEANINGS INDICATED UNLESS THE CONTEXT OF THEIR USE REQUIRES OTHERWISE.

(B) "ARBITRATION PANEL" MEANS THE ARBITRATORS SELECTED TO DETERMINE A HEALTH CARE MALPRACTICE CLAIM IN ACCORDANCE WITH THIS SUBTITLE.

(C) "COURT" MEANS A CIRCUIT COURT OF A COUNTY OR COURT OF THE SUPREME BENCH OF BALTIMORE CITY HAVING JURISDICTION OVER ACTIONS AT LAW.

(D) "DIRECTOR" MEANS THE DIRECTOR OF THE HEALTH CLAIMS ARBITRATION OFFICE.

(E) "HEALTH CARE PROVIDER" MEANS A HOSPITAL, A RELATED INSTITUTION AS DEFINED IN ARTICLE 43, §556 OF THE CODE, A PHYSICIAN, AN OSTEOPATH, AN OPTOMETRIST, A CHIROPRACTOR, A REGISTERED OR LICENSED PRACTICAL NURSE, A DENTIST, A PODIATRIST, AND A PHYSICAL THERAPIST, LICENSED OR AUTHORIZED TO PROVIDE ONE OR MORE HEALTH CARE SERVICES IN MARYLAND. "HEALTH CARE PROVIDER" [SHALL NOT BE CONSTRUED TO INCLUDE NURSING INSTITUTIONS SUCH AS THOSE OPERATED OR LISTED AND CERTIFIED BY THE FIRST CHURCH OF CHRIST, SCIENTIST, BOSTON, MASSACHUSETTS WHEREIN THE ONLY TREATMENT PRESCRIBED IS BY SPIRITUAL MEANS THROUGH PRAYER ALONE.] DOES NOT MEAN ANY NURSING INSTITUTION 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.

(F) "MEDICAL INJURY" MEANS INJURY ARISING OR RESULTING FROM THE RENDERING OR FAILURE TO RENDER HEALTH CARE.

3-2A02. EXCLUSIVE PROCEDURES.

(A) ALL CLAIMS, SUITS, AND ACTIONS, INCLUDING CROSS CLAIMS, THIRD PARTY CLAIMS, AND ACTIONS UNDER TITLE 3 SUBTITLE 9 OF THIS ARTICLE, BY A PERSON AGAINST A HEALTH CARE PROVIDER FOR MEDICAL INJURY ALLEGEDLY SUFFERED BY THE PERSON IN WHICH DAMAGES OF MORE THAN \$5,000 ARE SOUGHT ARE SUBJECT TO AND SHALL BE GOVERNED BY THE PROVISIONS OF THIS SUBTITLE. AN ACTION OR SUIT OF THAT TYPE MAY NOT BE BROUGHT OR PURSUED IN ANY COURT OF THIS STATE EXCEPT IN ACCORDANCE WITH THIS SUBTITLE. AN