

HOUSE BILL 858

D1
HB 717/22 – JUD

3lr1674

By: **Delegate Cardin**

Introduced and read first time: February 9, 2023

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Health Care Alternative Dispute Resolution Office – Authority of Director**
3 **– Dispositive Issues of Law**

4 FOR the purpose of authorizing the Director of the Health Care Alternative Dispute
5 Resolution Office to rule on dispositive issues of law under certain circumstances;
6 and generally relating to health care arbitration.

7 BY repealing and reenacting, with amendments,
8 Article – Courts and Judicial Proceedings
9 Section 3–2A–05(a)
10 Annotated Code of Maryland
11 (2020 Replacement Volume and 2022 Supplement)

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

14 **Article – Courts and Judicial Proceedings**

15 3–2A–05.

16 (a) (1) **(I)** Except as provided under paragraph (2) of this subsection, all
17 issues of law shall be referred by the Director to the panel chairman.

18 **(II)** All issues of fact shall be referred by the Director to the
19 arbitration panel.

20 (2) Where a panel chairman has not been appointed or is temporarily
21 unable to serve, and the Director is admitted to the Maryland Bar, the Director may rule
22 on all issues of law arising prior to hearing [that are not dispositive of the case and shall
23 include], **INCLUDING** the assessment of costs.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2023.