

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.



U.S. Department of Labor

In the 21st Century



www.dol.gov

Search

By Topic | By Audience | By Top 20 Requested Items | By Form | By Organization



Content Last Revised: 1/6/95

---DISCLAIMER---

CFR Code of Federal Regulations Pertaining to ESA

L, Title 29 Labor

L, Chapter V Wage and Hour Division, Department of Labor

L, Part 825 The Family and Medical Leave Act of 1993

L, Subpart A What is the Family and Medical Leave Act, and to Whom Does It Apply?

29 CFR 825.118 - What is a ``health care provider"?

- **Section Number:** 825.118
- **Section Name:** What is a ``health care provider"?

(a) The Act defines ``health care provider'' as:

(1) A doctor of medicine or osteopathy who is authorized to practice medicine or surgery (as appropriate) by the State in which the doctor practices; or

(2) Any other person determined by the Secretary to be capable of providing health care services.

(b) Others ``capable of providing health care services'' include only:

(1) Podiatrists, dentists, clinical psychologists, optometrists, and chiropractors (limited to treatment consisting of manual manipulation of the spine to correct a subluxation as demonstrated by X-ray to exist) authorized to practice in the State and performing within the scope of their practice as defined under State law;

(2) Nurse practitioners, nurse-midwives and clinical social workers who are authorized to practice under State law and who are performing within the scope of their practice as defined under State law;

(3) Christian Science practitioners listed with the First Church of Christ, Scientist in Boston, Massachusetts. Where an employee or family member is receiving treatment from a Christian Science practitioner, an employee may not object to any requirement from an employer that the employee or family member submit to examination (though not treatment) to obtain a second or third certification from a health care provider other than a Christian Science practitioner except as otherwise provided under applicable State or local law or collective bargaining agreement.

(4) Any health care provider from whom an employer or the employer's group health plan's benefits manager will accept certification of the existence of a serious health condition to substantiate a claim for benefits; and

(5) A health care provider listed above who practices in a country other than the United States, who is authorized to practice in accordance with the law of that country, and who is performing within