

3-2A-05.

(e) (1) The arbitration panel shall first determine the issue of liability with respect to a claim referred to it.

(2) If the arbitration panel determines that the health care provider is not liable to the claimant or claimants the award shall be in favor of the health care provider.

(3) If the arbitration panel determines that a health care provider is liable to the claimant or claimants, it shall then consider, itemize, assess, and apportion appropriate damages against one or more of the health care providers that it has found to be liable.

(4) ~~¶The award shall itemize by category and amount any damages assessed for incurred medical expenses, rehabilitation costs, and loss of earnings. Damages assessed for any future expenses, costs, and losses shall be itemized separately. ¶ THE ARBITRATION PANEL SHALL ITEMIZE EACH AWARD ENTERED ON OR AFTER JANUARY 1, 2005, TO REFLECT THE MONETARY AMOUNT INTENDED FOR ANY OF THE FOLLOWING DAMAGES THAT ARE APPLICABLE TO THE CLAIM:~~

- ~~(I) PAST MEDICAL EXPENSES;~~
- ~~(II) FUTURE MEDICAL EXPENSES;~~
- ~~(III) PAST LOSS OF EARNINGS;~~
- ~~(IV) FUTURE LOSS OF EARNINGS;~~
- ~~(V) PAST PECUNIARY LOSSES;~~
- ~~(VI) FUTURE PECUNIARY LOSSES;~~
- ~~(VII) OTHER PAST ECONOMIC DAMAGES;~~
- ~~(VIII) OTHER FUTURE ECONOMIC DAMAGES; AND~~
- ~~(IX) NONECONOMIC DAMAGES.~~

(g) (1) ~~¶The~~ ~~SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE~~ arbitration panel shall make its award and deliver it to the Director in writing within 1 year from the date on which all defendants have been served and within 10 days after the close of the hearing.

~~(2) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SUBTITLE, THE ARBITRATION PANEL SHALL MAKE ITS AWARD AND DELIVER IT TO THE DIRECTOR ON OR BEFORE JUNE 30, 2005.~~

~~(2)~~ (2) The Director shall cause a copy of it to be served on each party within 15 days of having received it from the arbitration panel.

(h) (1) A party may apply to the arbitration panel to modify or correct an award as to liability, damages, or costs in accordance with § 3-222 of this [article] TITLE.