

(3) THE DEPARTMENT IS AUTHORIZED TO OFFSET THE AMOUNT OF THE OVERPAYMENT AGAINST FUTURE PAYMENTS.

15-404.

THIS SUBTITLE DOES NOT APPLY TO HOSPITALS OR SERVICES RENDERED BY HOSPITALS REGULATED UNDER TITLE 19 OF THIS ARTICLE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be ~~in effect only so long as the provider fees described herein are permitted by federal law. At such time as these fees are prohibited by federal statute, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect~~ abrogated and of no further force and effect, with no further action required by the General Assembly, upon the earliest of the following dates:

1. June 30, 1992;
2. the date on which an Act of Congress prohibiting imposition assessment of the provider fees authorized by this Act becomes effective; or
3. the date on which a judgment or order of a court of competent jurisdiction prohibiting imposition assessment of all the provider fees authorized by this Act becomes final.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health and safety, has been passed by a ye and nay vote supported by three-fifths of all of the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted.

Approved April 9, 1991.

CHAPTER 25

(House Bill 1147)

AN ACT concerning

Health Care Malpractice Claims – Judicial Review

FOR the purpose of providing that any party may reject an assessment of costs under an award made by a health care malpractice claim arbitration panel; specifying the procedures to reject an assessment of costs under an award; providing that the Director of the Health Claims Arbitration Office need not be named as a party to an action to reject an award or the assessment of costs under an award; requiring a court to reassess arbitration costs if the court vacates an assessment of these costs; making this Act an emergency measure; and generally relating to judicial review of health care malpractice claims.