

Section 4-301 through 4-309, inclusive, to be under the new subtitle "Subtitle 3. Confidentiality of Medical Records"

Annotated Code of Maryland
(1990 Replacement Volume)

BY repealing and reenacting, with amendments,

Article - Health - General
Section 10-701(d)
Annotated Code of Maryland
(1990 Replacement Volume)

Preamble

WHEREAS, Medical records contain personal and sensitive information that if improperly used or disclosed may result in significant harm to the emotional, financial, health care, and privacy interests of a patient or recipient; and

WHEREAS, Patients and recipients need access to their medical records to enable them to make informed decisions concerning their health care and to correct inaccurate or incomplete information about themselves; and

WHEREAS, In order to retain the full trust and confidence of patients and recipients, health care providers have an interest in assuring that the information in medical records will not be improperly disclosed, and that clear and certain rules exist for the disclosure and redisclosure of this information; and

WHEREAS, In order to protect the privacy of a patient or recipient, that disclosure of information from a medical record without the authorization of a person in interest be limited to the information that is relevant to the purpose for which disclosure is sought and, when feasible and appropriate, to a review of the record by a person who acknowledges the duty not to redisclose the identity of the patient or recipient; now, therefore,

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section(s) 4-303, 4-304, and 4-305 and the subtitle "Subtitle 3. Personal Medical Records", respectively, of Article - Health - General of the Annotated Code of Maryland be renumbered to be Section(s) 4-401, 4-402, and 4-403 and the subtitle "Subtitle 4. Personal Medical Records", respectively.

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article - Health - General

[4-301.

(a) Any provider of medical care who has custody of medical records may reveal specific medical information contained in those records: