

(II) AN ALLEGATION IS PENDING BEFORE THE COMMISSION; AND

~~(2)~~ (3) THE COMMISSION DETERMINES THAT THE REQUESTED INFORMATION IS NECESSARY FOR THE PROPER CONDUCT OF THE BUSINESS OF THAT AGENCY ADMINISTRATION OR BOARD.

(G) IF THE COMMISSION DETERMINES THAT THE INFORMATION CONTAINED IN A RECORD CONCERNS POSSIBLE CRIMINAL ACTIVITY OF A LICENSED PHYSICIAN, THE COMMISSION MAY SHALL DISCLOSE THE INFORMATION TO A LAW ENFORCEMENT OR PROSECUTORIAL OFFICIAL.

(H) (1) THE COMMISSION MAY PUBLISH A SUMMARY OF ANY ALLEGATIONS OF GROUNDS FOR DISCIPLINARY OR OTHER ACTION.

(2) A SUMMARY MAY NOT IDENTIFY:

(I) ANY PERSON WHO MAKES AN ALLEGATION TO THE COMMISSION OR ANY OF ITS INVESTIGATORY BODIES;

(II) A LICENSED PHYSICIAN ABOUT WHOM AN ALLEGATION IS MADE; OR

(III) A WITNESS IN AN INVESTIGATION OR A PROCEEDING BEFORE THE COMMISSION OR ANY OF ITS INVESTIGATORY BODIES.

(I) THE COMMISSION SHALL DISCLOSE INFORMATION IN A RECORD UPON THE REQUEST OF THE LEGISLATIVE AUDITOR, PURSUANT TO ARTICLE 40, SECTION 61B, OR OF THE DEPARTMENT OF FISCAL SERVICES, PURSUANT TO ARTICLE 41, SECTION 488. HOWEVER, NEITHER THE DEPARTMENT NOR ANY OF ITS EMPLOYEES, INCLUDING THE AUDITOR, NOR ANY OF THE AUDITOR'S EMPLOYEES MAY DISCLOSE PERSONALLY IDENTIFIABLE INFORMATION FROM ANY OF THESE RECORDS WHICH ARE OTHERWISE CONFIDENTIAL BY LAW.

~~(I)~~ (J) THIS SECTION DOES NOT APPLY TO:

(1) ANY DISCLOSURE OF A RECORD BY THE COMMISSION TO ANY OF ITS INVESTIGATORY BODIES; OR

(2) A PARTY TO A PROCEEDING BEFORE THE COMMISSION WHO CLAIMS TO BE AGGRIEVED BY THE DECISION OF THE COMMISSION.

~~(J)~~ (K) IF ANY INFORMATION CONTAINED IN ANY MEDICAL OR HOSPITAL DOCUMENT OR ANY OTHER EXHIBIT IS OTHERWISE OPEN FOR DISCLOSURE UNDER LAW, THE USE OF THAT DOCUMENT OR EXHIBIT IN ANY RECORD OF THE COMMISSION OR ANY OF ITS INVESTIGATORY BODIES DOES NOT PREVENT ITS DISCLOSURE IN ANY OTHER PROCEEDING.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1982.