

AN ACT concerning

Health Care Providers – Disclosure of Medical Records – Children in Need of Assistance Proceedings

FOR the purpose of authorizing health care providers to disclose certain medical records without the authorization of persons in interest in accordance with a certain compulsory process in Children in Need of Assistance proceedings under certain circumstances; altering the content of a certain notice; and generally relating to the disclosure of medical records by health care providers in Children in Need of Assistance Proceedings.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 4–306
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Health – General

4–306.

(a) In this section, “compulsory process” includes a subpoena, summons, warrant, or court order that appears on its face to have been issued on lawful authority.

(b) A health care provider shall disclose a medical record without the authorization of a person in interest:

(1) To a unit of State or local government, or to a member of a multidisciplinary team assisting the unit, for purposes of investigation or treatment in a case of suspected abuse or neglect of a child or an adult, subject to the following conditions:

(i) The health care provider shall disclose only the medical record of a person who is being assessed in an investigation or to whom services are being provided in accordance with Title 5, Subtitle 7 or Title 14, Subtitle 3 of the Family Law Article;