

section shall be liable to a plaintiff for any damages recoverable in law or equity, including reasonable attorney's fees.]

SUBTITLE 3. CONFIDENTIALITY OF MEDICAL RECORDS

4-301.

(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(1) (I) "DIRECTORY INFORMATION" MEANS INFORMATION CONCERNING THE PRESENCE AND GENERAL HEALTH CONDITION OF A PATIENT WHO HAS BEEN ADMITTED TO A HEALTH CARE FACILITY OR WHO IS CURRENTLY RECEIVING EMERGENCY HEALTH CARE IN A HEALTH CARE FACILITY.

(II) "DIRECTORY INFORMATION" DOES NOT INCLUDE HEALTH CARE INFORMATION DEVELOPED PRIMARILY IN CONNECTION WITH MENTAL HEALTH SERVICES.

(2) "DISCLOSE OR DISCLOSURE" MEANS THE TRANSMISSION OR COMMUNICATION OF INFORMATION IN A MEDICAL RECORD, INCLUDING AN ACKNOWLEDGMENT THAT A MEDICAL RECORD ON A PARTICULAR PATIENT OR RECIPIENT EXISTS.

(3) "EMERGENCY" MEANS A SITUATION WHEN, IN THE PROFESSIONAL OPINION OF THE HEALTH CARE PROVIDER, A CLEAR AND SIGNIFICANT RISK OF DEATH OR IMMINENT SERIOUS INJURY OR HARM TO A PATIENT OR RECIPIENT EXISTS.

(4) "GENERAL HEALTH CONDITION" MEANS THE HEALTH STATUS OF A PATIENT DESCRIBED IN TERMS OF "CRITICAL", "POOR", "FAIR", "GOOD", "EXCELLENT", OR TERMS DENOTING SIMILAR CONDITIONS.

(5) "HEALTH CARE" MEANS ANY CARE, TREATMENT, OR PROCEDURE BY A HEALTH CARE PROVIDER:

(I) TO DIAGNOSE, EVALUATE, REHABILITATE, MANAGE, TREAT, OR MAINTAIN THE PHYSICAL OR MENTAL CONDITION OF A PATIENT OR RECIPIENT; OR

(II) THAT AFFECTS THE STRUCTURE OR ANY FUNCTION OF THE HUMAN BODY.

(6) (I) "MEDICAL RECORD" MEANS ANY ORAL, WRITTEN, OR OTHER TRANSMISSION OF INFORMATION THAT:

1. IS WRITTEN IN THE RECORD OF A PATIENT OR RECIPIENT;
2. IDENTIFIES OR CAN READILY BE ASSOCIATED