

Act is hereby declared to be an emergency measure and necessary for the immediate preservation of the public health and safety and having been passed by a yea and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, the same shall take effect from the date of its passage.

Approved May 4, 1976.

CHAPTER 363

(House Bill 1)

AN ACT concerning

Patient-Psychiatrist Privilege - Corrective

FOR the purpose of correcting an omission relating to the nonexistence of the patient-psychiatrist privilege in certain proceedings after the death of the patient; and making this Act an emergency measure.

BY repealing and re-enacting, with amendments,

Article - Courts and Judicial Proceedings
Section 9-109(e)
Annotated Code of Maryland
(1974 Volume and 1975 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section 9-109(e) of Article - Courts and Judicial Proceedings, of the Annotated Code of Maryland (1974 Volume and 1975 Supplement) be and it is hereby repealed and re-enacted, with amendments, to read as follows:

Article - Courts and Judicial Proceedings

9-109.

(e) There is no privilege if:

(1) A disclosure is necessary for the purposes of placing the patient in a facility for mental illness;

(2) A judge finds that the patient, after being informed there will be no privilege, makes communications in the course of an examination ordered by the court and the issue at trial involves his mental or emotional disorder;

(3) In a civil or criminal proceeding[,]: