

of detention.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1978.

Approved May 29, 1978.

CHAPTER 815

(Senate Bill 630)

AN ACT concerning

Mental Retardation - Confidentiality of Records

FOR the purpose of securing a mentally retarded person's right to inspect and copy a record maintained about that person; establishing procedures for reviewing, contesting, and amending or supplementing this record; prohibiting disclosure of these records to other persons, with certain exceptions; and stipulating liability for disclosures contrary to these provisions.

BY repealing and reenacting, with amendments,

Article 59A - Mental Retardation
Section 17
Annotated Code of Maryland
(1972 Replacement Volume and 1977 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That section(s) of the Annotated Code of Maryland be repealed, amended, or enacted to read as follows:

Article 59A - Mental Retardation

17.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) "CUSTODIAN" MEANS THE DIRECTOR OR OTHER INDIVIDUAL IN CHARGE OF THE FACILITY, THE INDIVIDUAL RESPONSIBLE FOR THE SEPARATE AND SECURE AREA WHERE RECORDS ARE MAINTAINED, AND ANY INDIVIDUAL HAVING POSSESSION OR CONTROL OF A RECORD.

(3) "PERSON" MEANS THE MENTALLY RETARDED INDIVIDUAL ABOUT WHOM THE RECORD IS MAINTAINED.

(4) "RECORD" MEANS ALL INDIVIDUAL RECORDS MAINTAINED ON A MENTALLY RETARDED PERSON IN EITHER A PUBLIC OR PRIVATE FACILITY WHICH IS LICENSED OR OPERATED BY THE