

LIABILITY FOR ACTUAL DAMAGES, LIABLE FOR PUNITIVE DAMAGES.

(E) PROHIBITED ACT.

(1) A PERSON MAY NOT KNOWINGLY REQUEST OR OBTAIN A MEDICAL RECORD UNDER FALSE PRETENSES OR THROUGH DECEPTION.

(2) A PERSON WHO VIOLATES ANY PROVISION OF THIS SUBSECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$10,000 OR IMPRISONMENT NOT EXCEEDING 1 YEAR OR BOTH.

REVISOR'S NOTE: This section is new language derived without substantive change from former Article 43, § 54M(a) through (f) and (h).

Subsection (b) of this section is revised to state the duties of facilities, as custodians of medical records, instead of the rights of persons in interest, for clarity.

Former Article 43, § 54M(g), which stated that this section is in addition to the "requirements of § 54L" -- now § 4-301 of this subtitle, is deleted as unnecessary.

Defined terms: "Includes"/"including" § 1-101
"Person" § 1-101 "Physician" § 1-101

4-303. CONCEALMENT OF RECORDS AND REPORTS PROHIBITED.

(A) "PROVIDER" DEFINED.

IN THIS SECTION, "PROVIDER" MEANS:

(1) A CHIROPRACTOR;

(2) A DENTIST;

(3) A NURSE;

(4) AN OPTOMETRIST;

(5) A PHYSICIAN;

(6) A PODIATRIST; OR

(7) A PERSON WHO IS EMPLOYED BY OR UNDER CONTRACT WITH A HOSPITAL, NURSING INSTITUTION, OR OTHER HEALTH CARE PROVIDER.

(B) CONCEALMENT PROHIBITED.

A PROVIDER MAY NOT KNOWINGLY OR WILLFULLY DESTROY, DAMAGE, ALTER, OBLITERATE, OR OTHERWISE OBSCURE A MEDICAL