

defining a certain term; and generally relating to personal information about individuals with disabilities in a public record.

BY repealing and reenacting, without amendments,
 Article – State Government
 Section 10–617(a)
 Annotated Code of Maryland
 (2004 Replacement Volume and 2005 Supplement)

BY repealing and reenacting, with amendments,
 Article – State Government
 Section 10–617(b) *and (h)(2)*
 Annotated Code of Maryland
 (2004 Replacement Volume and 2005 Supplement)

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

Article – State Government

10–617.

(a) Unless otherwise provided by law, a custodian shall deny inspection of a part of a public record, as provided in this section.

(b) (1) IN THIS SUBSECTION, “DISABILITY” HAS THE MEANING STATED IN § 20 OF ARTICLE 49B, § 20 OF THE CODE.

(2) Subject to paragraph ~~(2)~~ (3) of this subsection, a custodian shall deny inspection of the part of a public record that contains:

(I) medical or psychological information about an individual, other than an autopsy report of a medical examiner; OR

(II) PERSONAL INFORMATION ABOUT AN INDIVIDUAL WITH A DISABILITY OR AN INDIVIDUAL PERCEIVED TO HAVE A DISABILITY.

~~(2)~~ (3) A custodian shall permit the person in interest to inspect the public record to the extent permitted under § 4–304(a) of the Health – General Article.

(4) THIS SUBSECTION DOES NOT APPLY TO:

(I) A NURSING HOME AS DEFINED IN § 19–1401 OF THE HEALTH – GENERAL ARTICLE; OR

(II) AN ASSISTED LIVING FACILITY AS DEFINED IN § 19–1801 OF THE HEALTH – GENERAL ARTICLE.

(h) (2) A custodian shall permit inspection of the part of a public record that gives:

(i) the name of the licensee;