

C. Notifies the recipient or the person in interest of the procedure for filing a motion to quash or a motion for a protective order;

D. Is attached to a copy of the request for issuance of a compulsory process or request for discovery; and

E. Is mailed to the recipient, the person in interest, or counsel for the recipient or person in interest by certified mail, return receipt requested, on or before the date of filing the request for issuance of compulsory process or the request for discovery;

(vi)] In accordance with a subpoena for medical records on specific recipients:

1. To health professional licensing and disciplinary boards for the sole purpose of an investigation regarding licensure, certification, or discipline of a health professional or the improper practice of a health profession; and

2. To grand juries, prosecution agencies, and law enforcement agencies under the supervision of prosecution agencies for the sole purposes of investigation and prosecution of a provider for theft and fraud, related offenses, obstruction of justice, perjury, unlawful distribution of controlled substances, and of any criminal assault, neglect, patient abuse or sexual offense committed by the provider against a recipient, provided that the prosecution or law enforcement agency shall:

A. Have written procedures which shall be developed in consultation with the Director to maintain the medical records in a secure manner so as to protect the confidentiality of the records; and

B. In a criminal proceeding against a provider, to the maximum extent possible, remove and protect recipient identifying information from the medical records used in the proceeding; or

[(vii)] (VI) In the event of the death of a recipient, to the office of the medical examiner as authorized under § 5-309 or § 10-714 of this article.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2005.

Approved May 26, 2005.

CHAPTER 504

(Senate Bill 696)

AN ACT concerning

Juvenile Causes – Child in Need of Assistance – Court Hearings and Findings

FOR the purpose of authorizing a court, in certain proceedings concerning a child in