

(3) Each hospital shall adopt procedures for the confidential HIV testing of blood samples or other body fluids used or collected for purposes of this section.

(4) Except as provided in paragraph (5) of this subsection, the medical records, including any physician order for an HIV test or the results of any HIV test conducted under this section, are:

(i) Confidential; and

(ii) Not discoverable or admissible in evidence in any criminal, civil, or administrative action.

(5) If the identity of the patient or any other information that could be readily associated with the identity of the patient is not disclosed, the results of an HIV test conducted on a patient for purposes of this section may be introduced into evidence in any criminal, civil, or administrative action including the adjudication of a workers' compensation claim.

(h) The costs incurred in performing an HIV test on a patient in accordance with the provisions of this section shall be paid by the hospital.

(i) Each hospital shall develop written procedures to implement the provisions of this section.

(j) A health care provider, first responder, PUBLIC SAFETY WORKER, or hospital or designee of a hospital acting in good faith to provide notification or maintain the confidentiality of the results of a test conducted under this section may not be held liable in any cause of action related to a breach of patient, health care provider, [or] first responder, OR PUBLIC SAFETY WORKER confidentiality.

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

May 26, 2005

The Honorable Michael E. Busch
Speaker of the House
State House
Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed House Bill 386 – *Baltimore County – Camp Puh'Tok Loan of 1998*.

This bill amends the Baltimore County – Camp Puh'Tok Loan of 1998 to change the use of the proceeds of the loan to allow for the planning, design, construction, and capital equipping of new facilities and requires that the proceeds of the loan be encumbered by the Board of Public Works or expended for the purposes provided by a specified date.

Senate Bill 236, which was passed by the General Assembly and signed by me,