

8-701: 8-801.

(A) IF AN INDIVIDUAL SEEKS COUNSELING, TREATMENT, OR THERAPY, FOR ANY FORM OF DRUG OR ALCOHOL ABUSE, FROM A PHYSICIAN, PSYCHOLOGIST, OR HOSPITAL, OR A PERSON WHO IS CERTIFIED BY THE ADMINISTRATION FOR COUNSELING OR TREATING DRUG OR ALCOHOL ABUSE, THE ORAL OR WRITTEN STATEMENTS THAT THE INDIVIDUAL MAKES AND THE OBSERVATIONS AND CONCLUSIONS THAT THE PHYSICIAN, PSYCHOLOGIST, HOSPITAL, OR OTHER PERSON DERIVES OR THE RESULTS OF AN EXAMINATION TO DETERMINE THE EXISTENCE OF AN ILLEGAL OR PROHIBITED DRUG IN THE BODY OF AN INDIVIDUAL ARE NOT ADMISSIBLE IN ANY PROCEEDING AGAINST THE INDIVIDUAL, OTHER THAN:

(1) A PROCEEDING THAT RELATES TO PAROLE OR PROBATION OR CONDITIONAL RELEASE FROM A NOT CRIMINALLY RESPONSIBLE FINDING, IF THE EXAMINATION HAD BEEN ORDERED AS A CONDITION OF PAROLE OR PROBATION OR THE CONDITIONAL RELEASE FROM A NOT CRIMINALLY RESPONSIBLE FINDING; OR

(2) A COMMITMENT PROCEEDING UNDER SUBTITLE 5 OR SUBTITLE 6 OF THIS TITLE, IF THE EXAMINATION HAD BEEN ORDERED FOR THAT PROCEEDING.

(B) THE RESULTS OF A PROCEEDING TO COMMIT AN INDIVIDUAL UNDER SUBTITLE 5 OR SUBTITLE 6 OF THIS TITLE AND EVIDENCE IN THE PROCEEDING MAY NOT BE USED AGAINST THAT INDIVIDUAL IN ANY OTHER PROCEEDING.

(C) THE DISCLOSURE AND USE OF THE RECORDS OF INDIVIDUALS SERVED BY ALCOHOL ABUSE AND DRUG ABUSE TREATMENT PROGRAMS SHALL BE GOVERNED BY THE FEDERAL REGULATIONS ON THE CONFIDENTIALITY OF ALCOHOL AND DRUG ABUSE PATIENT RECORDS, 42 CFR PART 2.

SUBTITLE ~~8-~~ 9. PROHIBITED ACTS; PENALTIES8-801: 8-901.

(A) A PERSON MAY NOT KNOWINGLY HAVE OR ATTEMPT TO HAVE AN INDIVIDUAL UNLAWFULLY OR IMPROPERLY ADJUDICATED TO BE A DRUG OR ALCOHOL ABUSER OR TO HAVE AN ALCOHOL OR DRUG ~~ADDICTION~~ DEPENDENCE UNDER SUBTITLE 5 OR SUBTITLE 6 OF THIS TITLE.

(B) A PERSON WHO VIOLATES ANY PROVISION OF THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$1,000 OR IMPRISONMENT NOT EXCEEDING 3 YEARS OR BOTH.

8-802: 8-902.

(A) AN INDIVIDUAL OR ORGANIZATION MAY NOT OPERATE AN ALCOHOL ABUSE AND DRUG ABUSE TREATMENT PROGRAM IN VIOLATION OF THIS TITLE.