

individual, other than AND SUBJECT TO THE FEDERAL REGULATIONS CONCERNING THE CONFIDENTIALITY OF ALCOHOL AND DRUG ABUSE PATIENT RECORDS:

(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 [9] 7. Prohibited Acts; Penalties

[8-901] 8-701.

(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 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.

SECTION 4. AND BE IT FURTHER ENACTED, That Section(s) 8-902, 8-903, and 8-1001, and the subtitle "Subtitle 10. Short Title", respectively, of Article - Health - General of the Annotated Code of Maryland be renumbered to be Section(s) 8-702, 8-703, and 8-801, and the subtitle "Subtitle 8. Short Title", respectively.

SECTION 5. AND BE IT FURTHER ENACTED, That this Act shall take effect January 1, 1990.