

HEALTH AND MENTAL HYGIENE MAY BE EVIDENCE OF A PATIENT'S INFORMED CONSENT IN LIEU OF A PATIENT'S SIGNATURE.

SECTION 2. AND BE IT FURTHER ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Health - General

18-336.

(A) IN THIS SECTION, "HEALTH CARE PROVIDER" MEANS A PERSON PHYSICIAN, A PHYSICIAN'S DESIGNEE, OR A DESIGNEE OF A HEALTH CARE FACILITY LICENSED OR CERTIFIED--UNDER--THE--HEALTH--OCCUPATIONS ARTICLE OTHERWISE AUTHORIZED TO PROVIDE HEALTH CARE SERVICES.

(B) IF AN INDIVIDUAL INFORMED OF THE INDIVIDUAL'S HIV POSITIVE STATUS UNDER § 18-335 OF THIS TITLE REFUSES TO NOTIFY THE INDIVIDUAL'S SEXUAL AND NEEDLE-SHARING PARTNERS, THE INDIVIDUAL'S HEALTH-CARE-PROVIDER PHYSICIAN MAY INFORM THE LOCAL HEALTH OFFICER AND AND/OR THE INDIVIDUAL'S SEXUAL AND NEEDLE-SHARING PARTNERS OF:

(1) THE INDIVIDUAL'S IDENTITY; AND

(2) THE CIRCUMSTANCES GIVING RISE TO THE NOTIFICATION ~~OF-THE-HEALTH-OFFICER.~~

(C) WHEN THE LOCAL HEALTH OFFICER IS NOTIFIED, THE HEALTH OFFICER SHALL ENFORCE THE PROVISIONS OF §§ 18-208 THROUGH 18-213:

(1) WITHIN A REASONABLE TIME; AND

(2) TO THE EXTENT FEASIBLE.

(D) EACH LOCAL HEALTH OFFICER SHALL REFER THE INFECTED INDIVIDUAL AND ANY KNOWN SEXUAL OR NEEDLE-SHARING PARTNERS OF THE INDIVIDUAL TO APPROPRIATE SERVICES FOR THE CARE, SUPPORT, AND TREATMENT FOR THE HIV INFECTED INDIVIDUALS.

(E) A HEALTH-CARE-PROVIDER PHYSICIAN ACTING IN GOOD FAITH TO PROVIDE NOTIFICATION IN ACCORDANCE WITH THIS SECTION MAY NOT BE HELD LIABLE IN ANY CAUSE OF ACTION RELATED TO A BREACH OF PATIENT CONFIDENTIALITY.

(F) A HEALTH--CARE-PROVIDER PHYSICIAN ACTING IN GOOD FAITH MAY NOT BE HELD LIABLE IN ANY CAUSE OF ACTION FOR CHOOSING NOT TO DISCLOSE INFORMATION RELATED TO A POSITIVE TEST RESULT FOR THE PRESENCE OF HUMAN IMMUNODEFICIENCY VIRUS TO AN INDIVIDUAL'S SEXUAL AND NEEDLE-SHARING PARTNERS.

(G) A HOSPITAL OR ANY OTHER HEALTH CARE PROVIDER ACTING IN GOOD FAITH PURSUANT TO A PHYSICIAN'S ORDER TO PERFORM OR