

WILLIAM DONALD SCHAEFER, Governor

(G) A PATIENT IDENTIFYING NUMBER OBTAINED FROM AN ANONYMOUS AND CONFIDENTIAL TEST SITE WHICH IS APPROVED BY THE DEPARTMENT OF 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, That the Laws of Maryland read as follows:

Article - 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 OR OTHERWISE AUTHORIZED TO PROVIDE HEALTH CARE SERVICES. IN THIS SECTION, "HEALTH CARE PROVIDER" MEANS A PERSON LICENSED OR CERTIFIED UNDER THE HEALTH OCCUPATIONS ARTICLE.

~~(B)~~ (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/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.~~

~~(e)~~ (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.

~~(B)~~ ~~(e)~~ (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.

~~(B)~~ (E) A 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.

~~(B)~~ (F) A PHYSICIAN ACTING IN GOOD FAITH MAY NOT BE HELD LIABLE IN ANY CAUSE OF ACTION FOR DISCLOSING OR CHOOSING NOT TO DISCLOSE INFORMATION RELATED TO A TEST RESULT FOR THE PRESENCE OF