

BY repealing and reenacting, with amendments,
 Article – Health Occupations
 Section 12-505
 Annotated Code of Maryland
 (1991 Replacement Volume and 1993 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Health – General

4-301.

(a) In this subtitle the following words have the meanings indicated.

(g) (1) “Medical record” means any oral, written, or other transmission of information, that:

(i) Is written in the record of a patient or recipient;

(ii) Identifies or can readily be associated with the identity of a patient or recipient; and

(iii) Relates to the health care of the patient or recipient.

(2) “Medical record” includes any documentation of disclosures of a medical record to any person who is not an employee, agent, or consultant of the health care provider.

(3) “MEDICAL RECORD” INCLUDES ANY FILE OR RECORD MAINTAINED UNDER § 12-505 OF THE HEALTH OCCUPATIONS ARTICLE BY A PHARMACY OF A PRESCRIPTION ORDER FOR DRUGS, MEDICINES, OR DEVICES THAT IDENTIFIES OR MAY BE READILY ASSOCIATED WITH THE IDENTITY OF A PATIENT.

4-302.

(a) A health care provider shall:

(1) Keep the medical record of a patient or recipient confidential; and

(2) Disclose the medical record only:

(i) As provided by this subtitle; or

(ii) As otherwise provided by law.

(b) The provisions of this subtitle do not apply to information:

(1) Not kept in the medical record of a patient or recipient that is related to the administration of a health care facility, including:

(i) Risk management;

(ii) Quality assurance; and