

DRAFTER'S NOTE:

Error: Title of bill being cured failed to accurately describe the changes made by the bill.

Occurred: Chapter 514 (House Bill 381) of the Acts of 1993.

Article - Health - General

4-307.

(h) (1) A health care provider shall disclose a medical record without the authorization of a person in interest:

(iv) In accordance with a court order, other than compulsory process compelling disclosure, as permitted under § 9-109(d), § 9-109.1(d), or § 9-121(d) of the Courts and Judicial Proceedings Article, or as otherwise provided by law, to:

- 1. A court;
- 2. An administrative law judge;
- 3. A health claims arbitrator; or
- 4. A party to a court, administrative, or arbitration proceeding;

(v) In accordance with service of compulsory process or a discovery request, as permitted under § 9-109(d), § 9-109.1(d), or § 9-121(d) of the Courts and Judicial Proceedings Article, or as otherwise provided by law, to a court, an administrative tribunal, or a party to a civil court, administrative, or health claims arbitration proceeding, if:

1. The request for issuance of compulsory process or the request for discovery filed with the court or administrative tribunal and served on the health care provider is accompanied by a copy of a certificate directed to the recipient, the person in interest, or counsel for the recipient or the person in interest;

2. The certificate shall:

A. Notify the recipient or the person in interest that disclosure of the recipient's medical record is sought;

B. Notify the recipient or the person in interest of the provisions of this subsection or any other provision of law on which the requesting party relies in seeking disclosure of the information;

C. Notify the recipient or the person in interest of the procedure for filing a motion to quash or a motion for a protective order;

D. Be attached to a copy of the request for issuance of compulsory process or request for discovery; and