

(2) IF A RECIPIENT BELIEVES THAT A MEDICAL RECORD HAS BEEN INAPPROPRIATELY OBTAINED, MAINTAINED, OR DISCLOSED UNDER THE PROVISIONS OF SUBPARAGRAPH (VI) OF THIS PARAGRAPH, THE RECIPIENT MAY PETITION THE STATE PROSECUTOR FOR AN INVESTIGATION OF THE ALLEGATION.

(3) EXCEPT IN A PROCEEDING RELATING TO PAYMENT FOR THE HEALTH CARE OF A RECIPIENT, THE MEDICAL RECORD OF A RECIPIENT AND ANY INFORMATION OBTAINED AS A RESULT OF A DISCLOSURE UNDER SUBPARAGRAPH (VI) OF THIS PARAGRAPH IS DISCLOSABLE, NOTWITHSTANDING ANY PRIVILEGE IN LAW, BUT MAY NOT BE USED IN ANY PROCEEDING AGAINST THE RECIPIENT.

[(2)](4) A written request for disclosure or written confirmation of an oral request in an emergency that justifies the need for disclosure shall be inserted in the medical record of the recipient.

[(3)] (5) Documentation of the disclosure shall be inserted in the medical record of the recipient.

[(4)] (6) This subsection may not preclude a health care provider, a recipient, or person in interest from asserting in a motion to quash or a motion for a protective order any constitutional right or other legal authority in opposition to disclosure.

DRAFTER'S NOTE:

Error: Stylistic errors and omitted conjunction in § 4-307(h)(1)(v) and (vi) of the Health - General Article.

Occurred: Ch. 480, Acts of 1990.

5-502.3.

(b) In the event of a disagreement under subsection (a) of this section, a practitioner is not liable for refusing to accept the body or to inter or otherwise dispose of the body of the decedent or complete the arrangements for the final disposition of the body until the [funeral director] PRACTITIONER receives a court order or other written agreement signed by the parties in the disagreement that decides the final disposition of the body.

DRAFTER'S NOTE:

Error: Incorrect terminology in § 5-502.3(b) of the Health - General Article.

Occurred: Ch. 517, Acts of 1994.

7-206.

(a) (2) The purpose of the Waiting List Equity Fund is to ensure that: