

(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:

2. The certificate:

A. Notifies the recipient or the person in interest that disclosure of the recipient's [medial] MEDICAL record is sought;

(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 (1) OF THIS SECTION, 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 disclosure under subparagraph (vi) of [this] paragraph (1) OF THIS SECTION is disclosable, notwithstanding any privilege in law, but may not be used in any proceeding against the recipient.

DRAFTER'S NOTE:

Error: Incorrect word usage in § 4-307(h)(1)(v)2.A and erroneous internal references in § 4-307(h)(2) and (3) of the Health - General Article.

Occurred: Ch. 3, Acts of 1995.

5-603.

Form II
Advance Directive

Part B
Advance Medical Directive
Health Care Instructions

(Optional Form)

(Cross through if you do not want to complete this portion of the form. If you do want to complete this portion of the form, initial those statements you want to be included in the document and cross through those statements that do not apply.)

If I am incapable of making an informed decision regarding my health care, I direct my health care providers to follow my instructions as set forth below. (Initial all those that apply.)

(1) If my death from a terminal condition is imminent and even if life-sustaining procedures are used there is no reasonable expectation of my recovery -