

Health – General Article of the Annotated Code of Maryland be renumbered to be Section(s) 4-302(g) and 4-307(g) through (k), respectively.

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Health – General

4-302.

(E) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A PERSON MAY NOT DISCLOSE BY SALE, RENTAL, OR BARTER ANY MEDICAL RECORD.

(2) THIS SUBSECTION SHALL NOT PROHIBIT THE TRANSFERS OF MEDICAL RECORDS RELATING TO THE TRANSFER OF OWNERSHIP OF A HEALTH CARE PRACTICE OR FACILITY IF THE TRANSFER IS IN ACCORD WITH THE ETHICAL GUIDELINES OF THE APPLICABLE HEALTH CARE PROFESSION OR PROFESSIONS.

~~(F) (1) IF A MEDICAL RECORD IS TRANSFERRED UNDER SUBSECTION (E)(2) OF THIS SECTION, THE PROVIDER WHO MAINTAINS THE RECORDS SHALL NOTIFY THE PATIENT OR PERSON IN INTEREST.~~

~~(2) THE NOTICE UNDER THIS SUBSECTION SHALL:~~

~~(i) BE MADE BY FIRST CLASS MAIL TO THE LAST KNOWN ADDRESS OF THE PATIENT OR PERSON IN INTEREST WITHIN 30 DAYS OF THE TRANSFER OF OWNERSHIP OF THE HEALTH CARE PRACTICE; AND~~

~~(ii) INCLUDE A DESIGNATED LOCATION FROM WHICH THE MEDICAL RECORD MAY BE RETRIEVED, IF WANTED.~~

4-302.1.

(A) PAYORS THAT ACCEPT CLAIMS ORIGINATING IN THIS STATE FROM MEDICAL CARE ELECTRONIC CLAIMS CLEARINGHOUSES SHALL ACCEPT CLAIMS ONLY FROM MEDICAL CARE ELECTRONIC CLAIMS CLEARINGHOUSES THAT ARE:

(1) ACCREDITED BY THE ELECTRONIC HEALTHCARE NETWORK ACCREDITATION COMMISSION; OR

(2) CERTIFIED BY THE STATE MARYLAND HEALTH CARE COMMISSION.

(B) THE STATE MARYLAND HEALTH CARE COMMISSION SHALL ADOPT REGULATIONS TO CARRY OUT THIS SUBSECTION.

4-306.

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

(7) [To] SUBJECT TO THE ADDITIONAL LIMITATIONS FOR A MEDICAL RECORD DEVELOPED PRIMARILY IN CONNECTION WITH THE PROVISION OF MENTAL HEALTH SERVICES IN § 4-307 OF THIS SUBTITLE, TO grand juries, prosecution agencies, law enforcement agencies or their agents or employees to further an