

## Section 1-306

## Annotated Code of Maryland

(1998 Replacement Volume and 1999 Supplement)

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

**Article - Financial Institutions**

1-306.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) "FINANCIAL EXPLOITATION" MEANS ANY ACTION WHICH INVOLVES THE MISUSE OF AN ADULT A CUSTOMER'S FUNDS OR PROPERTY.

(3) "REPORT" MEANS AN ORAL OR WRITTEN REPORT CONCERNING FINANCIAL EXPLOITATION WHICH MAY INCLUDE ALL OR PART OF THE INFORMATION DESCRIBED IN § 14-302(D) OF THE FAMILY LAW ARTICLE.

(A) (B) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, A FIDUCIARY INSTITUTION OR AN OFFICER, EMPLOYEE, AGENT, OR DIRECTOR OF A FIDUCIARY INSTITUTION MAY DISCLOSE FINANCIAL RECORDS AND ANY OTHER INFORMATION RELATING TO A AN ADULT A CUSTOMER OF THE FIDUCIARY INSTITUTION IF THE FIDUCIARY INSTITUTION OR ITS OFFICER, EMPLOYEE, AGENT, OR DIRECTOR:

(1) HAS REASON TO BELIEVE BELIEVES THAT THE ADULT CUSTOMER HAS BEEN SUBJECTED TO FINANCIAL EXPLOITATION; AND

(2) MAKES THE DISCLOSURE IN A REPORT TO THE ADULT PROTECTIVE SERVICES PROGRAM IN A LOCAL DEPARTMENT OF SOCIAL SERVICES IN A REPORT FILED UNDER § 14 302(C) OF THE FAMILY LAW ARTICLE.

(C) (4) A REPORT FILED UNDER THIS SECTION BY A FIDUCIARY INSTITUTION OR AN OFFICER, EMPLOYEE, AGENT, OR DIRECTOR OF A FIDUCIARY INSTITUTION SHALL BE DEEMED TO PROTECT AGAINST OR PREVENT ACTUAL OR POTENTIAL FRAUD, UNAUTHORIZED TRANSACTIONS, OR OTHER LIABILITY.

(2) A REPORT FILED UNDER THIS SECTION BY A FIDUCIARY INSTITUTION OR AN OFFICER, EMPLOYEE, AGENT, OR DIRECTOR OF A FIDUCIARY INSTITUTION:

(F) MAY NOT INCLUDE THE ADULT CUSTOMER'S SOCIAL SECURITY NUMBER, ACCOUNT NUMBER, OR ACCOUNT BALANCE; AND

(H) SHALL INCLUDE ONLY INFORMATION THAT IS PERTINENT TO AND SERVES TO SUBSTANTIATE THE REPORT.

(D) A FIDUCIARY INSTITUTION OR AN OFFICER, EMPLOYEE, AGENT, OR DIRECTOR OF A FIDUCIARY INSTITUTION MAY DECLINE TO PROVIDE TO ANY PERSON INFORMATION THAT WOULD DISCLOSE OR INDICATE WHETHER A REPORT HAS OR HAS NOT BEEN FILED UNDER THIS SECTION.