

(ii) Designating a location, date, and time where the medical records may be retrieved, if wanted.

(F) (1) AFTER CONSULTING WITH THE ASSOCIATION OF MARYLAND HOSPITALS AND HEALTH SYSTEMS, THE MARYLAND STATE MEDICAL SOCIETY, AND OTHER INTERESTED PARTIES, INCLUDING CONSUMERS AND PAYORS, THE SECRETARY SHALL ADOPT REGULATIONS GOVERNING THE DESTRUCTION OF MEDICAL RECORDS.

(2) THE REGULATIONS ADOPTED UNDER THIS SUBSECTION SHALL:

(I) SPECIFY THE MANNER IN WHICH A HEALTH CARE PROVIDER SHALL MAINTAIN AND STORE MEDICAL RECORDS TO:

1. ENSURE CONFIDENTIALITY; AND

2. PROVIDE LIMITED ACCESS TO THE MEDICAL RECORDS UNTIL THE RECORDS ARE DESTROYED; AND

(II) ENSURE THAT THE METHOD OF DESTRUCTION RENDERS THE MEDICAL RECORDS UNREADABLE.

(3) THE REGULATIONS ADOPTED UNDER THIS SUBSECTION MAY NOT:

(I) REQUIRE OR ENCOURAGE THE DESTRUCTION OF MEDICAL RECORDS; OR

(II) BE INCONSISTENT WITH ANY PROVISION OF LAW APPLICABLE TO THE MAINTENANCE OR DESTRUCTION OF MEDICAL RECORDS.

[(F)] (G) (1) A health care provider or any other person who knowingly violates any provision of this subtitle is liable for actual damages.

(2) (I) IN ADDITION TO ANY OTHER PENALTIES PROVIDED FOR UNDER THIS ARTICLE, A PERSON WHO HEALTH CARE FACILITY THAT KNOWINGLY VIOLATES THIS SECTION IS SUBJECT TO AN ADMINISTRATIVE FINE NOT EXCEEDING ~~\$25,000~~ \$10,000 FOR ALL VIOLATIONS CITED IN A SINGLE DAY.

(II) 1. IN ADDITION TO ANY OTHER PENALTIES PROVIDED UNDER THIS ARTICLE, AN INDIVIDUAL WHO KNOWINGLY VIOLATES THIS SECTION IS SUBJECT TO THE FINES PROVIDED IN SUB-SUBPARAGRAPH 2 OF THIS SUBPARAGRAPH IF THE INDIVIDUAL IS:

A. A HEALTH CARE PROVIDER, AS DEFINED UNDER SUBSECTION (A)(1)(I) THROUGH (VI) OR (VIII) THROUGH (XX) OF THIS SECTION; OR

B. AN AGENT, EMPLOYEE, OFFICER, OR DIRECTOR OF A HEALTH CARE PROVIDER

2. THE ADMINISTRATIVE FINES APPLICABLE TO AN INDIVIDUAL COVERED UNDER SUB-SUBPARAGRAPH 1 OF THIS SUBPARAGRAPH SHALL BE ASSESSED AS FOLLOWS: