

(V) IF A DEFENDANT PROVIDES NOTICE UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE HEALTH DEPARTMENT SHALL NOTIFY THE VICTIM THAT:

1. THE VICTIM'S OR VICTIM'S REPRESENTATIVE'S WRITTEN FACTUAL STATEMENT IS INADMISSIBLE AT THE HEARING WITHOUT THE TESTIMONY OF THE VICTIM OR VICTIM'S REPRESENTATIVE; AND

2. THE VICTIM OR VICTIM'S REPRESENTATIVE MAY ATTEND THE HEARING AND TESTIFY.

(g) [This] EXCEPT AS OTHERWISE PROVIDED UNDER THIS SECTION, THIS section may not be construed to authorize the release to the victim or victim's representative of any medical, psychological, or psychiatric information on a [committed person] DEFENDANT.

(h) The [facility of the] Health Department [that has charge of a person under § 3-111 of this title] shall promptly notify the State's Attorney and a victim or a victim's representative who has requested notification REGARDING A DEFENDANT under this section if:

- (1) [the person] THE DEFENDANT is absent without authorization;
- (2) A HOSPITAL WARRANT IS ISSUED FOR THE DEFENDANT; OR
- (3) NOTIFICATION IS REQUIRED UNDER § 11-508 OF THIS ARTICLE.

(i) An agent or employee of the Health Department who acts in compliance with this section shall have the immunity from liability described under § 5-522 of the Courts Article.

(J) BEFORE A HEARING UNDER THIS ARTICLE RELATING TO A DEFENDANT, THE VICTIM OR VICTIM'S REPRESENTATIVE SHALL BE NOTIFIED OF THE PROCEEDING AS PROVIDED UNDER § 11-104 OR § 11-503 OF THIS ARTICLE.

(K) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A VICTIM OR VICTIM'S REPRESENTATIVE SHALL HAVE THE RIGHT TO ATTEND A HEARING UNDER THIS ARTICLE RELATING TO A DEFENDANT AS PROVIDED UNDER § 11-102 OF THIS ARTICLE.

(2) AT THE REQUEST OF A DEFENDANT, THE OFFICE, IN A RELEASE HEARING OR A VIOLATION HEARING UNDER THIS SUBTITLE FOR AN INDIVIDUAL FOUND NOT CRIMINALLY RESPONSIBLE, MAY EXCLUDE A VICTIM OR VICTIM'S REPRESENTATIVE FROM THE EXPERT TESTIMONY REGARDING THE DEFENDANT'S MEDICAL, PSYCHOLOGICAL, OR PSYCHIATRIC INFORMATION IF THE OFFICE FINDS THE MEDICAL, PSYCHOLOGICAL, OR PSYCHIATRIC INFORMATION IS:

- (I) HIGHLY SENSITIVE TO THE DEFENDANT; AND
- (II) NOT RELEVANT TO WHETHER THE DEFENDANT SHOULD BE RELEASED OR HAS VIOLATED THE CONDITIONS OF RELEASE.