

3. Clinical condition; AND

- (iii) Facility and other provider identification information[; and
- (iv) For reports of HIV, the unique identifier of the patient, but not the patient's name].

(3) "Report" means:

- (i) A laboratory examination report for HIV or CD 4+ count as required by § 18-205 of this subtitle;
- (ii) A [physician] report for HIV OR AIDS as required by § 18-201.1, § 18-202, OR § 18-202.1 of this subtitle; or
- (iii) An HIV/AIDS case report.

(4) "Designated anonymous HIV test site" means an HIV counseling and testing site approved by the Department of Health and Mental Hygiene as a site where a patient may have an anonymous HIV test.

(b) (1) Except for a designated anonymous HIV test site, a facility or office that orders a test for HIV and receives a test result that documents the presence of HIV as defined by the CDC laboratory criteria shall, upon the Secretary's request, make available to the Secretary, or an agent of the Secretary, the information necessary to compile an HIV/AIDS case report.

(2) A report or information assembled or obtained under this section [shall be confidential]:

(I) IS CONFIDENTIAL and subject to Title 4, Subtitle 1 of this article[.]; AND

[i] (II) [A report in this section is] IS not a medical record under Title 4, Subtitle 3 of this article, but is subject to the confidentiality requirements of Title 4, Subtitle 1 of this article.

[ii] (III) This subsection does not apply to a disclosure by the Secretary to another governmental agency performing its lawful duties pursuant to State or federal law where the Secretary determines that the agency to whom the information is disclosed will maintain the confidentiality of the disclosure.