

(F) (1) A HEALTH CARE PROVIDER OR ANY OTHER PERSON, INCLUDING AN OFFICER OR EMPLOYEE OF A GOVERNMENTAL UNIT, WHO KNOWINGLY AND WILLFULLY REQUESTS OR OBTAINS INFORMATION ON HIV AND AIDS DEVELOPED UNDER § 18-201.1, § 18-202.1, § 18-205, OR § 18-207 OF THIS SUBTITLE UNDER FALSE PRETENSES OR THROUGH DECEPTION ON CONVICTION, IS SUBJECT TO:

(I) A FINE NOT EXCEEDING \$100,000, IMPRISONMENT FOR NOT MORE THAN 5 YEARS, OR BOTH; AND

(II) IF THE OFFENSE IS COMMITTED WITH INTENT TO SELL, TRANSFER, OR USE INDIVIDUALLY IDENTIFIABLE HEALTH INFORMATION FOR COMMERCIAL ADVANTAGE, PERSONAL GAIN, OR MALICIOUS HARM, A FINE NOT EXCEEDING \$250,000, IMPRISONMENT FOR NOT MORE THAN 10 YEARS, OR BOTH.

(2) THIS SUBSECTION DOES NOT APPLY TO AN OFFICER OR EMPLOYEE OF A GOVERNMENTAL UNIT THAT IS CONDUCTING A CRIMINAL INVESTIGATION.

(G) A HEALTH CARE PROVIDER OR ANY OTHER PERSON WHO KNOWINGLY VIOLATES SUBSECTION (E) OR (F) OF THIS SECTION IS LIABLE FOR ACTUAL DAMAGES.

(H) A PHYSICIAN, LABORATORY, OR INSTITUTION AS DEFINED IN § 18-202.1 OF THIS SUBTITLE THAT IN GOOD FAITH SUBMITS A REPORT OR OTHERWISE DISCLOSES INFORMATION IN ACCORDANCE WITH THIS SUBTITLE IS NOT LIABLE IN ANY ACTION ARISING FROM THE DISCLOSURE OF THE INFORMATION.

#### Article - State Government

10-617.

(b) (1) In this subsection, "disability" has the meaning stated in Article 49B, § 20 of the Code.

(2) Subject to paragraph (3) of this subsection, a custodian shall deny inspection of the part of a public record that contains:

(i) medical or psychological information about an individual, other than an autopsy report of a medical examiner; [or]