

evaluation be considered a mental health record; authorizing the release of the petition by certain health care providers only as permitted by law; and generally relating to the confidentiality of court records relating to a petition for emergency evaluation.

BY adding to

Article – Health – General

Section 10-630

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

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

Article – Health – General

10-630.

(A) ~~A PETITION FOR EMERGENCY EVALUATION, MADE UNDER PART IV OF THIS SUBTITLE ON OR AFTER JANUARY 1, 2006, IS CONFIDENTIAL AND ITS ALL COURT RECORDS RELATING TO A PETITION FOR AN EMERGENCY EVALUATION MADE UNDER THIS SUBTITLE ARE CONFIDENTIAL AND THE CONTENTS MAY NOT BE DIVULGED, BY SUBPOENA OR OTHERWISE, EXCEPT BY ORDER OF THE COURT ON GOOD CAUSE SHOWN.~~

(B) ~~(1) THIS SECTION DOES NOT PROHIBIT ACCESS TO AND CONFIDENTIAL USE OF A PETITION REVIEW OF A COURT RECORD RELATING TO A PETITION BY:~~

~~(i) A LAW ENFORCEMENT AGENCY IN THE INVESTIGATION AND PROSECUTION OF THE EMERGENCY EVALUEE; OR~~

~~(ii) THE DEPARTMENT OR A LOCAL HEALTH DEPARTMENT IF THE DEPARTMENT OR LOCAL HEALTH DEPARTMENT IS PROVIDING TREATMENT OR CARE TO AN EMERGENCY EVALUEE WHO IS THE SUBJECT OF THE PETITION FOR A PURPOSE RELEVANT TO THE TREATMENT OR CARE.~~

~~(2) THE DEPARTMENT OR A LOCAL HEALTH DEPARTMENT SHALL BE LIABLE FOR THE UNAUTHORIZED RELEASE OF A PETITION UNDER THIS SUBSECTION.~~

~~(3) WITHIN 180 DAYS AFTER THE DEPARTMENT OR A LOCAL HEALTH DEPARTMENT ACCESSES A PETITION UNDER THIS SUBSECTION, THE~~