

14-406.

(a) Following the filing of charges, if a majority of the full authorized membership of the Board finds that there are grounds for action under § 14-404 of this subtitle, the Board shall pass an order in accordance with the Administrative Procedure Act.

(b) After the charges are filed, if the Board finds that there are no grounds for action under § 14-404 of this subtitle, the Board:

(1) Immediately shall dismiss the charges and exonerate the licensee;

(2) (I) [Shall] EXCEPT AS PROVIDED IN ITEM (II) OF THIS PARAGRAPH, SHALL expunge all records of the charges 3 YEARS AFTER THE CHARGES ARE DISMISSED; OR

(II) IF THE PHYSICIAN EXECUTES A DOCUMENT RELEASING THE BOARD FROM ANY LIABILITY RELATED TO THE CHARGES, SHALL IMMEDIATELY EXPUNGE ALL RECORDS OF THE CHARGES; and

(3) May not take any further action on the charges.

14-411.

(a) In this section, "record" means the proceedings, records, or files of the Board.

(b) Except as otherwise expressly provided in this section, the Board or any of its investigatory bodies may not disclose any information contained in a record.

(c) Nothing in this section shall be construed to prevent or limit the disclosure of general licensure, certification, or registration information maintained by the Board, if the request for release complies with the criteria of § 10-617(h) of the State Government Article.

(d) The Board shall disclose any information contained in a record to a committee of a hospital, health maintenance organization, or related institution if:

(1) The committee of a medical hospital staff concerned with physician discipline or other committee of a hospital, health maintenance organization, or related institution requests the information in writing;

(2) The Board has issued an order as to a licensed physician on whom the information is requested; and

(3) The Board determines that the information requested is necessary for an investigation or action of the committee as to a medical privilege of a licensed physician.

(e) (1) The Board shall notify all hospitals, health maintenance organizations, or other health care facilities where a physician or an allied health professional regulated by the Board has privileges, has a provider contract with a health maintenance organization, or is employed of a complaint or report filed against that physician, if: