

~~in which the patient or recipient on whom the medical record is kept is not a party to the action on the written authorization of the patient, recipient, or person in interest or in accordance with a certain court order, authorizing a health care provider to disclose a medical record without the authorization of a person in interest to any provider's insurer or legal counsel for the purpose of handling a certain action at law against any provider in which the patient or recipient on whom the medical record is kept is a party to the action and has placed the patient's or recipient's physical or mental condition or functional status at issue, if the request for disclosure is accompanied by a certain certificate; and generally relating to the disclosure of medical records to any health care provider's insurer or legal counsel.~~

BY repealing and reenacting, with amendments,

Article - Health - General

Section ~~4-303~~ and 4-305

Annotated Code of Maryland

(1994 Replacement Volume and 1997 Supplement)

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

**Article - Health - General**

~~4-303.~~

~~(a) A health care provider shall disclose a medical record on the authorization of a person in interest in accordance with this section.~~

~~(b) Except as otherwise provided in subsection (c) of this section, an authorization shall:~~

~~(1) Be in writing, dated, and signed by the person in interest;~~

~~(2) State the name of the health care provider;~~

~~(3) Identify to whom the information is to be disclosed;~~

~~(4) State the period of time that the authorization is valid, which may not exceed 1 year, except:~~

~~(i) In cases of criminal justice referrals, in which case the authorization shall be valid until 30 days following final disposition; or~~

~~(ii) In cases where the patient on whom the medical record is kept is a resident of a nursing home, in which case the authorization shall be valid until revoked, or for any time period specified in the authorization; and~~

~~(5) Apply only to a medical record developed by the health care provider unless in writing:~~

~~(i) The authorization specifies disclosure of a medical record that the health care provider has received from another provider; and~~