

(iii) Subject to subpoena or discovery in any criminal or civil proceeding only pursuant to a court order sealing the court record.] ~~(1) ALL REPORTS REQUIRED UNDER THIS SECTION:~~

~~(I) ARE CONFIDENTIAL AND SUBJECT TO TITLE 4, SUBTITLE 1 OF THIS ARTICLE; BUT~~

~~(II) ARE NOT MEDICAL RECORDS UNDER TITLE 4, SUBTITLE 3 OF THIS ARTICLE.~~

~~(2) EXCEPT AS PROVIDED UNDER PARAGRAPHS (3), (4), AND (5) OF THIS SUBSECTION, THE REPORTS AND ANY PROCEEDINGS, RECORDS, OR FILES ASSEMBLED, GENERATED, OR COMPILED IN ACCORDANCE WITH A REPORT MADE UNDER THIS SECTION ARE NOT DISCOVERABLE AND ARE NOT ADMISSIBLE IN EVIDENCE IN ANY CIVIL OR CRIMINAL MATTER.~~

(2) THIS SUBSECTION DOES NOT APPLY TO OR RESTRICT THE USE OR PUBLICATION OF ANY STATISTICS, INFORMATION, OR OTHER MATERIAL THAT SUMMARIZES OR REFERS TO CONFIDENTIAL RECORDS IN THE AGGREGATE, WITHOUT DISCLOSING THE IDENTITY OF ANY INDIVIDUAL WHO IS THE SUBJECT OF THE CONFIDENTIAL RECORD.

(3) THE SECRETARY MAY PREPARE AND DISSEMINATE ~~GENERALLY~~ NONINDIVIDUALLY IDENTIFIABLE INFORMATION ABOUT ONE OR MORE CASES OF A CONDITION OR A DISEASE BASED ON ANY REPORT RECEIVED UNDER THIS SECTION, FOR ANY PURPOSE CONSISTENT WITH THE SECRETARY'S LAWFUL DUTIES AS AUTHORIZED BY AN ACT OF THE MARYLAND GENERAL ASSEMBLY.

[(2)] (4) This subsection does not apply to a disclosure by the Secretary to another governmental agency performing its lawful duties as authorized by an act of the Maryland General Assembly or the United States Congress where the Secretary determines that:

(i) The agency to whom the information is disclosed will maintain the confidentiality of the disclosure; and

(ii) The disclosure is necessary to protect the public health or to prevent the spread of an infectious or contagious disease.

~~(5) NOTWITHSTANDING PARAGRAPHS (1) THROUGH (4) OF THIS SUBSECTION, DISCLOSURE OF INFORMATION OBTAINED IN ACCORDANCE WITH A REPORT RECEIVED UNDER THIS SECTION MAY BE MADE;~~