

[(iii)] (3) This subsection does not apply to a disclosure by the Secretary to another governmental agency performing its lawful duties pursuant to State or federal law where the Secretary determines that the agency to [whom] WHICH the information is disclosed will maintain the confidentiality of the disclosure.

[(3)] (4) The report and any proceedings, records, or files relating to the reports required under this section are not discoverable and are not admissible in evidence in any civil action.

DRAFTER'S NOTE:

Error: Tabulation and grammatical errors in § 18-207(b)(2) of the Health – General Article.

Occurred: Chs. 212 and 213, Acts of 2007. Correction by the publisher of the Annotated Code in the 2007 Supplement of the Health – General Article is ratified by this Act. Grammatical error occurred in Ch. 79, Acts of 2001.

18-215.

(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] 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.

DRAFTER'S NOTE:

Error: Extraneous comma in § 18-215(f)(1) of the Health – General Article.

Occurred: Chs. 212 and 213, Acts of 2007.

19-134.