



**2020 SESSION  
POSITION PAPER**

**BILL:** HB 42 – Public Information Act – Applications for Inspection – Responses and Time Limits  
**COMMITTEE:** Health and Government Operations Committee  
**POSITION:** Letter of Concern  
**BILL ANALYSIS:** HB 42 would reduce the time periods involved in responding to requests for public record access, public information act (PIA) requests.

**POSITION RATIONALE:** The Maryland Association of County Health Officers (MACHO) takes our role as public servants very seriously. A core component of public health is to inform our communities of important information and to do so in a timely manner. Although HB 42 attempts to meet these same goals, its unintended consequences will reduce public safety, ironically slow customer service, and potentially lead to violations of patient privacy.

Public record requests made to local health departments (LHDs) typically involve environmental health (waste water, drinking water, and restaurant information) or community services that involve patient care and other confidential information, including communications with our partner agencies such as the Department of Social Services, local corrections facilities, and local school systems.

Our environmental health divisions are chronically understaffed. Mandating PIA responses in such short time windows will cripple our abilities to quickly respond to failing septic systems, public complaints regarding restaurant hygiene and potential foodborne outbreaks, and timely processing of small business and homeowner permits.

An equally problematic consequence of HB 42 will be less thorough reviews of voluminous records that may contain stray mentions of protected private information. Due to LHDs' role of coordinating complex case management services, it is necessary for our staff to document protected information in a wide variety of formats. This often involves multiple employees from different divisions within an LHD. Without appropriate time for each staff member to review their notes, client confidentiality will be inadvertently compromised.

HB 42 will decrease our response capacity to environmental health emergencies, compromise our ability to protect our clients' privacy, expose government agencies to violations of our federal mandates, and increase potential for lawsuits.

For these reasons, the Maryland Association of County Health Officers submits this **letter of concern for HB 42**. For more information, please contact Ruth Maiorana, MACHO Executive Director at [rmaioral@jhu.edu](mailto:rmaioral@jhu.edu) or 410-614-6891. *This communication reflects the position of MACHO.*