

TO: The Honorable Pamela Beidle, Chair
Senate Finance Committee

FROM: Michael Huber
Director, Maryland Government Affairs

HB1045
Favorable with
Amendments

DATE: March 25, 2025

RE: HB1045 – Health Insurance, Family Planning Services, and Confidentiality of Medical Records - Consumer Protections - Updates

Johns Hopkins supports with amendments **HB1045 Health Insurance, Family Planning Services, and Confidentiality of Medical Records - Consumer Protections - Updates**. This bill continues important protections for access to health insurance for Marylanders. An amendment was added that expands the definition of “sensitive health care.” We are concerned this change could negatively impact patient safety.

As the committee is aware, stakeholders have expressed concerns with the implementation of HB812 – Health – Reproductive Health Services – Protected Information and Insurance Requirements from 2023. Our concerns have been grounded in the need to balance protecting patients’ privacy with ensuring their safety in continuity of care.

Health General §4–302.5 prohibits disclosing sensitive health services through a health information exchange or electronic health network. These are vitally important tools to assist providers treating patients with care coordination or in emergency situations. Automatically hiding information creates patient safety concerns because providers will not have accurate information on what medication the patient is taking, recent procedures or relevant diagnoses.

We would urge the General Assembly to carefully balance the goal of protecting vulnerable patients with the goal of maximizing patient safety by ensuring that patient’s care team has access to relevant information. In light of that, we request an opt-out option be added, allowing patients to select if their information is hidden or not.

Accordingly, Johns Hopkins respectfully requests a **FAVORABLE WITH AMENDMENTS** committee report on **HB1045**.

Proposed Amendments

§4–302.5.

(a) Subject to subsection (d)(3)(ii) of this section, this section applies to disclosures of health information to recipients located in the State and outside the State.

(b) Subject to subsection (d)(3)(ii) of this section, beginning December 1, 2023, a health information exchange or electronic health network may not disclose Mifepristone data or the diagnosis, procedure, medication, or related codes for abortion care and other sensitive health services as determined by the Secretary under subsection (d) of this section to a treating provider, a business entity, another health information exchange, or another electronic health network unless: the disclosure is:

(1) The disclosure is for the adjudication of claims; or

(2) The patient, or the parent or guardian of a patient, consents to the disclosure of the information through the health information exchange or electronic health network

~~—(2)—To a specific treating provider at the written request of and with the consent of:~~

~~——(i) A patient, for services for which the patient can provide consent under State law; or~~

~~——(ii) A parent or guardian of a patient, for services for which the parent or guardian can provide consent under State law.~~