
By: Chairman, Economic and Environmental Affairs Committee (Departmental - Health and Mental Hygiene)

Requested: October 25, 1995

Introduced and read first time: January 10, 1996

Assigned to: Economic and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 13, 1996

CHAPTER ____

1 AN ACT concerning

2 **Confidential Records - Foodborne Outbreak Information**

3 FOR the purpose of altering a certain definition to allow for the release of certain
4 information regarding foodborne outbreaks; and generally relating to confidential
5 research records.

6 BY repealing and reenacting, with amendments,
7 Article - Health - General
8 Section 4-101
9 Annotated Code of Maryland
10 (1994 Replacement Volume and 1995 Supplement)

11 BY repealing and reenacting, without amendments,
12 Article - Health - General
13 Section 4-102
14 Annotated Code of Maryland
15 (1994 Replacement Volume and 1995 Supplement)

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

18 **Article - Health - General**

19 4-101.

20 (A) In this subtitle, "confidential record" means any record, report, statement,
21 note, or other information that:

2

1 (1) Is assembled or obtained for research or study by:

2 (i) The Drug Abuse Administration; or

3 (ii) The Secretary; and

4 (2) Names or otherwise identifies any person.

5 (B) "CONFIDENTIAL RECORD" DOES NOT INCLUDE ANY RECORD, REPORT,
6 STATEMENT, NOTE, OR OTHER INFORMATION THAT IS NOT A MEDICAL RECORD AS
7 DEFINED IN § 4-301 OF THIS TITLE PERTAINING TO A COMPLETED INVESTIGATION OF
8 A FOODBORNE OUTBREAK THAT DOES NOT NAME OR OTHERWISE IDENTIFY AN
9 INDIVIDUAL.

10 4-102.

11 (a) (1) Each confidential record shall remain in the custody and control of:

12 (i) The Drug Abuse Administration, if that Administration assembled
13 or obtained the confidential record; or

14 (ii) The Secretary or an agent or employee of the Secretary, if the
15 Secretary assembled or obtained the confidential record.

16 (2) The confidential record may be used only for the research and study for
17 which it was assembled or obtained.

18 (3) A person may not disclose any confidential record to any person who is
19 not engaged in the research or study project.

20 (b) This section does not apply to or restrict the use or publication of any
21 statistics, information, or other material that summarizes or refers to confidential records
22 in the aggregate, without disclosing the identity of any person who is the subject of the
23 confidential record.

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
25 October 1, 1996.