

Department of Fiscal Services
Maryland General Assembly

FISCAL NOTE
Revised

Senate Bill 702 (Senator Bromwell, et al.)

Finance

Referred to Environmental Matters

Medical Records - Medical Care Data Base Collection and Disclosure of Medical Records

This amended bill prohibits the Health Care Access and Cost Commission (HCACC) from collecting any data for self-pay patients as part of its medical care data base. In addition, no more than the month and year of birth of all other patients may be collected. The Privacy and Confidentiality Workgroup of HCACC is required to hold at least one public hearing on the subject of confidentiality of patient-specific data collected by HCACC. After receiving recommendations from the workgroup, HCACC must hold at least one additional public hearing and report its findings and recommendations to the Senate Finance Committee and the House Environmental Matters Committee by January 1, 1997.

The bill also increases penalties relating to violation of the confidentiality of medical records to up to \$5,000 for the first offense, \$10,000 for the second offense, and \$25,000 for each subsequent conviction.

Fiscal Summary

State Effect: Potential minimal increase in general fund revenues due to the bill's penalty provision. No effect on expenditures.

Local Effect: Potential minimal increase in revenues due to the bill's penalty provision. No effect on expenditures.

Fiscal Analysis

Background: The Health Care Access and Cost Commission is required by statute (Health Care and Insurance Reform Act of 1993) to establish a medical care data base for non-hospital health services.

State Revenues: General fund revenues could increase under the bill's monetary penalty

provisions for those cases heard in the District Court, depending upon the number of convictions and fines imposed. Any such increase is assumed to be minimal.

Local Revenues: Revenues could increase under the bill's monetary penalty provisions for those cases heard in the circuit courts, depending upon the number of convictions and fines imposed. Any such increase is assumed to be minimal.

Information Source(s): Department of Health and Mental Hygiene (Health Care Access and Cost Commission), Insurance Administration, Department of Fiscal Services

Fiscal Note History: First Reader - February 20, 1996

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Revised - Senate Third Reader - April 1, 1996

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