

Department of Legislative Services
Maryland General Assembly

FISCAL NOTE

Senate Bill 659 (Senators Hollinger and Dorman)

Economic and Environmental Affairs

Disclosure of Medical Records - Mental Health Services

This bill authorizes mental health care providers to maintain “personal notes” regarding recipients of mental health services. A medical record does not include personal notes under certain circumstances. A mental health care provider is prohibited from disclosing a portion of a medical record relating to a psychological test to any person, including the subject of the test, if disclosure would compromise the objectivity or fairness of the test. A health care provider may disclose a medical record relating to a psychological test: (1) if the subject of the test designates a certain health care provider to whom the medical record may be disclosed; or (2) for educational or research purposes. The bill does not prohibit the disclosure of a personal note to a recipient for the purpose of malpractice or negligence claims and does not restrict access to a medical record which is also an education record under federal law.

Fiscal Summary

State Effect: None. The bill would not substantively change State activities or operations.

Local Effect: None.

Small Business Effect: Minimal.

Information Source(s): Department of Health and Mental Hygiene (Mental Hygiene Administration), Health Claims Arbitration Office, Judiciary (Administrative Office of the Courts), Department of Legislative Services

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Analysis by: Sue Friedlander

Reviewed by: John Rixey

Direct Inquiries to:

John Rixey, Coordinating Analyst

(410) 841-3710

(301) 858-3710