

HOUSE JOINT RESOLUTION 16

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1999 Regular Session  
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CF 9lr1810

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By: **Delegates Taylor, Goldwater, Hubbard, and ~~J. Kelly~~ J. Kelly, Boutin, Mohorovic, and Morhaim**

Introduced and read first time: February 12, 1999

Assigned to: Environmental Matters

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 22, 1999

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RESOLUTION NO. \_\_\_\_\_

HOUSE JOINT RESOLUTION

1 A House Joint Resolution concerning

2 **Task Force on Medical Record Confidentiality**

3 FOR the purpose of establishing a Task Force on Medical Record Confidentiality to  
4 review the medical record confidentiality laws of the State; providing for the  
5 composition, ~~quorum~~, and meetings of the Task Force and for certain  
6 reimbursement for its members; requiring the Task Force to submit a certain  
7 report on or before a certain date; providing for the termination of the Task  
8 Force; and generally relating to a Task Force on Medical Record Confidentiality.

9 WHEREAS, It is of the utmost importance that medical privacy be maintained  
10 by physicians and other health care providers to treat their patients effectively; and

11 WHEREAS, Medical record confidentiality presents a challenge in a health care  
12 system where employers, insurers, public health researchers, government entities,  
13 health care providers, and medical institutions regularly transmit medical  
14 information; and

15 WHEREAS, All parties have a legitimate need for certain types of information to  
16 complete their appropriate missions; and

17 WHEREAS, The right of a patient to protection of the patient's medical privacy  
18 should be paramount; and

19 WHEREAS, The emergence of computer technology has accelerated the  
20 dispersal of information, including medical information; and

21 WHEREAS, As Maryland approaches the year 2000, a review concerning the  
22 privacy protections accorded medical information and the appropriate dissemination  
23 of that information is necessary; now, therefore, be it

1 RESOLVED BY THE GENERAL ASSEMBLY OF MARYLAND, That there is a  
 2 Task Force on Medical Record Confidentiality which shall review the medical record  
 3 confidentiality laws of the State; and be it further

4 RESOLVED, That the Task Force shall be composed of:

5 (1) 3 members of the House of Delegates, appointed by the Speaker of the  
 6 House;

7 (2) 3 members of the Senate of Maryland, appointed by the President of  
 8 the Senate; ~~and~~

9 (3) the Insurance Commissioner, or the Insurance Commissioner's  
 10 designee;

11 (4) the Secretary of Health and Mental Hygiene, or the Secretary's  
 12 designee;

13 (5) 1 representative from the Office of the Attorney General, appointed  
 14 by the Attorney General;

15 (6) 1 representative from the Maryland Health Care Access and Cost  
 16 Commission, appointed by the Chairman of the Maryland Health Care Access and  
 17 Cost Commission; and

18 ~~(3)~~ (7) ~~42~~ 9 members appointed by the Governor, as follows:

19 (i) 2 licensed physicians;

20 (ii) 2 representatives of the health insurance industry;

21 (iii) 1 representative of ~~the pharmaceutical industry a~~  
 22 pharmaceutical manufacturer that does not own or operate an entity that is a  
 23 pharmacy benefit manager;

24 ~~(iv)~~ (iv) ~~1 representative of a medical institution that is engaged in~~  
 25 ~~medical research;~~

26 ~~(v)~~ (v) ~~1 representative of an interest group that is interested in~~  
 27 ~~medical confidentiality;~~

28 ~~(vi)~~ (vi) ~~1 representative from an agency of the State that is involved in~~  
 29 ~~the collection of medical data;~~

30 ~~(vii)~~ (vii) ~~1 representative from the business community;~~

31 ~~(viii)~~ (viii) ~~1 representative from organized labor; and~~

32 (iv) 1 representative of the hospital industry;

1 (v) 1 representative who is a medical ethicist or who has expertise  
2 in medical ethics; and

3 (~~ix~~) (vi) 2 consumer members from the general public who are not  
4 associated with any groups specified in this paragraph, one of whom shall have  
5 expertise in electronic commerce; and be it further

6 RESOLVED, That:

7 (1) ~~the members of the Task Force~~ Governor shall select a chairperson  
8 from the membership of the Task Force;

9 (~~2~~) ~~7 members of the Task Force shall constitute a quorum;~~

10 (~~3~~) (2) the Task Force shall determine the times and places of its  
11 meetings; and

12 (~~4~~) (3) staffing for the Task Force shall be provided by the Department  
13 of Legislative Services; and be it further

14 RESOLVED, That a member of the Task Force:

15 (1) may not receive compensation; but

16 (2) is entitled to reimbursement for expenses under the Standard State  
17 Travel Regulations as provided in the State budget; and be it further

18 RESOLVED, That, on or before December 1, 1999, the Task Force shall submit  
19 a report to the Governor and, subject to § 2-1246 of the State Government Article, to  
20 the General Assembly with recommendations for legislative action in the General  
21 Assembly Session for the year 2000; and be it further

22 RESOLVED, That the existence of the Task Force shall terminate on December  
23 1, 1999; and be it further

24 RESOLVED, That a copy of this Resolution be forwarded by the Department of  
25 Legislative Services to the Honorable Parris N. Glendening, Governor of Maryland;  
26 the Honorable Thomas V. Mike Miller, Jr., President of the Senate of Maryland; and  
27 the Honorable Casper R. Taylor, Jr., Speaker of the House of Delegates.