

SENATE JOINT RESOLUTION 5

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1999 Regular Session
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By: **Senators Roesser and Della**

Introduced and read first time: February 5, 1999

Assigned to: Economic and Environmental Affairs

SENATE JOINT RESOLUTION

1 A Senate 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 Preamble

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

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

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

27 **RESOLVED**, That the Task Force shall be composed of:

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- 1 (1) 1 member of the House of Delegates, appointed by the Speaker of the
2 House;
- 3 (2) 1 member of the Senate of Maryland, appointed by the President of
4 the Senate; and
- 5 (3) 10 members appointed by the Governor, as follows:
- 6 (i) 2 licensed physicians;
- 7 (ii) 1 representative of the insurance industry;
- 8 (iii) 1 representative of a medical institution that is engaged in
9 medical research;
- 10 (iv) 1 representative of an interest group that is interested in
11 medical confidentiality;
- 12 (v) 1 representative from an agency of the State that is involved in
13 the collection of medical data;
- 14 (vi) 1 representative from the business community;
- 15 (vii) 1 representative from organized labor; and
- 16 (viii) 2 consumer members from the general public who are not
17 associated with any groups specified in this paragraph; and be it further

18 RESOLVED, That:

- 19 (1) the members of the Task Force shall select a chairperson from the
20 membership of the Task Force;
- 21 (2) 7 members of the Task Force shall constitute a quorum;
- 22 (3) the Task Force shall determine the times and places of its meetings;
23 and
- 24 (4) staffing for the Task Force shall be provided by the Department of
25 Legislative Services; and be it further

26 RESOLVED, That a member of the Task Force:

- 27 (1) may not receive compensation; but
- 28 (2) is entitled to reimbursement for expenses under the Standard State
29 Travel Regulations as provided in the State budget; and be it further

30 RESOLVED, That, on or before December 1, 1999, the Task Force shall submit
31 a report to the Governor and, subject to § 2-1246 of the State Government Article, to

1 the General Assembly with recommendations for legislative action in the General
2 Assembly Session for the year 2000; and be it further

3 RESOLVED, That the existence of the Task Force shall terminate on December
4 1, 1999; and be it further

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