

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

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: April 5, 1999

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

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

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) ~~1 member~~ 5 members of the House of Delegates, appointed by the  
 6 Speaker of the House; and

7 (2) ~~1 member~~ 5 members of the Senate of Maryland, appointed by the  
 8 President of the Senate; ~~and~~

9 (3) ~~10 members appointed by the Governor, as follows:~~

10 (i) ~~2 licensed physicians;~~

11 (ii) ~~1 representative of the insurance industry;~~

12 (iii) ~~1 representative of a medical institution that is engaged in~~  
 13 ~~medical research;~~

14 (iv) ~~1 representative of an interest group that is interested in~~  
 15 ~~medical confidentiality;~~

16 (v) ~~1 representative from an agency of the State that is involved in~~  
 17 ~~the collection of medical data;~~

18 (vi) ~~1 representative from the business community;~~

19 (vii) ~~1 representative from organized labor; and~~

20 (viii) ~~2 consumer members from the general public who are not~~  
 21 ~~associated with any groups specified in this paragraph; and be it further~~

22 RESOLVED, That:

23 (1) ~~the members of the Task Force shall select a chairperson from the~~  
 24 ~~Speaker of the House shall select a chairperson from the House membership of the~~  
 25 ~~Task Force and the President of the Senate shall select a chairperson from the Senate~~  
 26 ~~membership of the Task Force;~~

27 (2) ~~7 members of the Task Force shall constitute a quorum;~~

28 (3) ~~the Task Force shall determine the times and places of its meetings;~~  
 29 ~~and~~

30 (4) (3) ~~staffing for the Task Force shall be provided by the Department~~  
 31 ~~of Legislative Services; and be it further~~

32 RESOLVED, That a member of the Task Force:

1           (1)     ~~may not receive compensation; but~~

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

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

8       RESOLVED, That the existence of the Task Force shall terminate on December  
9 1, 1999; and be it further

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