

Department of Legislative Services  
Maryland General Assembly  
1999 Session

FISCAL NOTE

House Bill 939 (Delegate Grosfeld)

Environmental Matters

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**Medical Records - Disclosure to Health Care Provider's Insurer or Legal Counsel**

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This bill amends current law to permit a health care provider to disclose an individual's medical record to the provider's insurer or legal counsel relating to a potential or actual claim against the provider, provided the insurer or legal counsel: (1) notifies the individual that disclosure of the individual's medical record is sought; (2) notifies the individual of this provision of law on which the requesting party relies in seeking disclosure of information; (3) notifies the individual of the procedure for filing a motion to quash or a motion for a protective order; and (4) mails the notification to the individual by certified mail, return receipt requested, 15 days before the request for disclosure of the medical record is served on the health care provider. Current law does not require any type of notice be given to the individual whose medical records are sought.

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**Fiscal Summary**

**State Effect:** None. Any additional consumer complaints could be handled with existing Maryland Insurance Administration resources.

**Local Effect:** None.

**Small Business Effect:** None.

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**Information Source(s):** Maryland Insurance Administration, Department of Health and Mental Hygiene (Mental Hygiene Administration, Medicaid, Boards and Commissions, Community Public Health Administration), Health Claims Arbitration Office, Department of Legislative Services

**Fiscal Note History:**

First Reader - March 8, 1999

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