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By: **Delegates Bobo, Benson, Frush, Hubbard, Nathan-Pulliam, Oaks,  
Pendergrass, Pitkin, and Rosso**

Introduced and read first time: February 11, 2000

Assigned to: Environmental Matters

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A BILL ENTITLED

1 AN ACT concerning

2 **Medical Imaging - Patient's Right to Original Record**

3 FOR the purpose of requiring a health care provider to provide within a certain  
4 number of days upon the request of a certain person certain original medical  
5 imaging records; and generally relating to medical records.

6 BY repealing and reenacting, with amendments,  
7 Article - Health - General  
8 Section 4-304(a)  
9 Annotated Code of Maryland  
10 (1994 Replacement Volume and 1999 Supplement)

11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
12 MARYLAND, That the Laws of Maryland read as follows:

13 **Article - Health - General**

14 4-304.

15 (a) (1) Except as otherwise provided in this subtitle, a health care provider  
16 shall comply within a reasonable time after a person in interest requests in writing:

17 (i) To receive a copy of a medical record; or

18 (ii) To see and copy the medical record.

19 (2) If a medical record relates to a psychiatric or psychological problem  
20 and the attending health care provider, with any available and feasible input from a  
21 primary provider of mental health services, believes disclosure of any portion of the  
22 medical record to be injurious to the health of a patient or recipient, the health care  
23 provider may refuse to disclose that portion of the medical record to the patient,  
24 recipient, or person in interest but, on written request, shall:

25 (i) Make a summary of the undisclosed portion of the medical  
26 record available to the patient, recipient, or person in interest;

1 (ii) Insert a copy of the summary in the medical record of the  
2 patient or recipient;

3 (iii) Permit examination and copying of the medical record by  
4 another health care provider who is authorized to treat the patient or recipient for the  
5 same condition as the health care provider denying the request; and

6 (iv) Inform the patient or recipient of the patient's or recipient's  
7 right to select another health care provider under this subsection.

8 (3) A HEALTH CARE PROVIDER SHALL COMPLY WITHIN 10 DAYS AFTER A  
9 PERSON IN INTEREST REQUESTS IN WRITING TO RECEIVE THE ORIGINAL MEDICAL  
10 RADIOGRAPH, MAGNETIC RESONANCE IMAGING, ULTRASOUND IMAGERY, OR OTHER  
11 SIMILAR PRODUCT OF MEDICAL IMAGING PERFORMED IN THE STATE.

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
13 October 1, 2000.