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By: **Delegates Cryor, Sher, Morhaim, Barkley, Benson, Boschert, Cane,  
Clagett, Conroy, Dypski, Finifter, Franchot, Glassman, Goldwater,  
Hubbard, Hubers, Hurson, Kopp, La Vay, Love, Mandel, Phillips, Pitkin,  
Riley, Sophocleus, and Walkup**

Introduced and read first time: February 7, 2001

Assigned to: Environmental Matters

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A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Tumor Registry for Cranial and Central Nervous System Tumors**

3 FOR the purpose of establishing a certain tumor registry; specifying the purpose of  
4 the registry; providing for the administration of the registry; establishing  
5 certain reporting requirements; specifying that the Community Public Health  
6 Administration shall administer the registry; providing that the registry shall  
7 be part of a certain computerized data system; specifying certain duties of the  
8 Secretary of Health and Mental Hygiene concerning the registry; authorizing  
9 the Secretary to employ certain personnel subject to budget restrictions;  
10 requiring the Secretary to charge certain fees for certain data; authorizing the  
11 Secretary to enter into certain collaborative agreements; providing  
12 confidentiality for certain individuals; authorizing the release of certain  
13 information under certain circumstances; providing a certain immunity;  
14 providing a penalty for a violation of this Act; requiring the Secretary to adopt  
15 certain regulations; and generally relating to a tumor registry for cranial and  
16 central nervous system tumors.

17 BY adding to

18 Article - Health - General

19 Section 13-1601 through 13-1607, inclusive, to be under the new subtitle

20 "Subtitle 16. Maryland Tumor Registry for Cranial and Central Nervous  
21 System Tumors"

22 Annotated Code of Maryland

23 (2000 Replacement Volume)

24 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF

25 MARYLAND, That the Laws of Maryland read as follows:

1 **Article - Health - General**

2 SUBTITLE 16. MARYLAND TUMOR REGISTRY FOR CRANIAL AND CENTRAL NERVOUS  
3 SYSTEM TUMORS.

4 13-1601.

5 IN THIS SUBTITLE, "REGISTRY" MEANS THE MARYLAND TUMOR REGISTRY FOR  
6 CRANIAL AND CENTRAL NERVOUS SYSTEM TUMORS.

7 13-1602.

8 THERE IS A MARYLAND TUMOR REGISTRY FOR CRANIAL AND CENTRAL  
9 NERVOUS SYSTEM TUMORS IN THE DEPARTMENT FOR THE PURPOSE OF PROVIDING:

10 (1) ACCURATE AND UP-TO-DATE INFORMATION RELATING TO THE  
11 INCIDENCE, DIAGNOSIS, AND TREATMENT OF BENIGN AND MALIGNANT CRANIAL  
12 AND CENTRAL NERVOUS SYSTEM TUMORS; AND

13 (2) INFORMATION THAT WILL REDUCE THE MORBIDITY AND MORTALITY  
14 RATES ASSOCIATED WITH CRANIAL AND CENTRAL NERVOUS SYSTEM TUMORS.

15 13-1603.

16 THE REGISTRY SHALL RECEIVE, COMPILE, ANALYZE, AND MAKE AVAILABLE  
17 EPIDEMIOLOGICAL AND AGGREGATE CLINICAL CASE INFORMATION COLLECTED  
18 FROM ALL HEALTH CARE PROVIDERS AND ALL HEALTH CARE FACILITIES IN THE  
19 STATE THAT DIAGNOSE OR TREAT CRANIAL OR CENTRAL NERVOUS SYSTEM TUMORS.  
20 13-1604.

21 (A) THE REGISTRY SHALL:

22 (1) BE ADMINISTERED BY THE COMMUNITY HEALTH ADMINISTRATION  
23 IN THE DEPARTMENT;

24 (2) BE PART OF THE COMPUTERIZED DATA SYSTEM UTILIZED BY THE  
25 MARYLAND CANCER REGISTRY; AND

26 (3) COLLECT STATEWIDE DATA ON EACH BENIGN OR MALIGNANT  
27 PRIMARY CRANIAL AND CENTRAL NERVOUS SYSTEM TUMOR.

28 (B) ALL CASES OF CONFIRMED BENIGN OR MALIGNANT CRANIAL OR CENTRAL  
29 NERVOUS SYSTEM TUMORS SHALL BE REPORTED TO THE REGISTRY.

30 13-1605.

31 (A) TO ACCOMPLISH THE PURPOSES OF THIS SUBTITLE, THE SECRETARY  
32 SHALL:

33 (1) ESTABLISH A UNIFORM STATEWIDE REPORTING SYSTEM;

1 (2) DETERMINE THE SPECIFIC DATA TO REPORTED; AND

2 (3) DETERMINE THE DEADLINE FOR REPORTING DATA.

3 (B) SUBJECT TO THE BUDGET, THE SECRETARY MAY EMPLOY:

4 (1) A DIRECTOR OF THE REGISTRY; AND

5 (2) ANY OTHER STAFF SUFFICIENT TO CARRY OUT THE PURPOSE OF  
6 THIS SUBTITLE.

7 (C) (1) THE SECRETARY SHALL CHARGE A FEE WHEN DATA IS REQUESTED  
8 FROM THE REGISTRY.

9 (2) FEES ARE TO BE BASED ON THE ACTUAL COST OF PRODUCING THE  
10 DATA.

11 (D) THE SECRETARY MAY ENTER INTO COLLABORATIVE AGREEMENTS WITH  
12 OTHER STATE REGISTRIES OR FEDERAL AGENCIES TO:

13 (1) OBTAIN COMPLETE INFORMATION ON MARYLAND RESIDENTS WHO  
14 ARE DIAGNOSED OR TREATED IN OTHER STATES; AND

15 (2) PARTICIPATE IN A PROGRAM WITH ANOTHER STATE OR A FEDERAL  
16 AGENCY FOR TREATMENT AND PREVENTION OF CRANIAL OR CENTRAL NERVOUS  
17 SYSTEM TUMORS.

18 13-1606.

19 (A) INFORMATION IN THE REGISTRY THAT COULD IDENTIFY A PATIENT  
20 SHALL BE KEPT STRICTLY CONFIDENTIAL.

21 (B) AN ANALYSIS, RESEARCH STUDY, REPORT, OR COMPILATION OF DATA  
22 BASED ON INFORMATION IN THE REGISTRY MAY NOT DISCLOSE THE IDENTITY OF  
23 ANY INDIVIDUAL WITH A TUMOR.

24 (C) CONFIDENTIAL INFORMATION MAY BE RELEASED BY THE DEPARTMENT  
25 ONLY:

26 (1) UPON THE WRITTEN REQUEST OF THE INDIVIDUAL PATIENT WHO IS  
27 THE SUBJECT OF THE INFORMATION OR THE PATIENT'S AUTHORIZED  
28 REPRESENTATIVE; OR

29 (2) TO PERSONS AUTHORIZED BY THE SECRETARY TO CONDUCT  
30 RESEARCH STUDIES.

31 (D) AN INDIVIDUAL DOES NOT HAVE ANY CLAIM OR CAUSE OF ACTION  
32 AGAINST ANOTHER INDIVIDUAL, A HEALTH CARE FACILITY, OR A HEALTH CARE  
33 PROVIDER WHO PARTICIPATES IN GOOD FAITH IN THE REPORTING OR RECEIVING OF  
34 INFORMATION FOR THE REGISTRY.

1 (E) THE LICENSE OF A HEALTH CARE FACILITY OR A HEALTH CARE PROVIDER  
2 MAY NOT BE DENIED, SUSPENDED, OR REVOKED FOR THE GOOD FAITH DISCLOSURE  
3 OF CONFIDENTIAL OR PRIVILEGED INFORMATION IN THE REPORTING OF TUMORS TO  
4 THE REGISTRY.

5 (F) A PERSON WHO DISCLOSES CONFIDENTIAL INFORMATION IN VIOLATION  
6 OF THIS SUBTITLE IS GUILTY OF A MISDEMEANOR AND UPON CONVICTION IS  
7 PUNISHABLE BY A FINE NOT EXCEEDING \$1,000, IMPRISONMENT FOR NOT MORE  
8 THAN 6 MONTHS, OR BOTH.

9 13-1607.

10 THE SECRETARY SHALL ADOPT REGULATIONS TO IMPLEMENT THE PROVISIONS  
11 OF THIS SUBTITLE.

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
13 October 1, 2001.