

SENATE BILL 599

J1

7lr1885

By: **Senator Kittleman**

Introduced and read first time: February 2, 2007

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Health – Disclosure of Medical Records – Cases Before the Workers’**
3 **Compensation Commission**

4 FOR the purpose of requiring a health care provider to disclose certain medical records
5 under certain circumstances in accordance with a certain subpoena for a case
6 before the Workers’ Compensation Commission, subject to certain exceptions
7 and limitations; and generally relating to the disclosure of medical records in
8 cases before the Workers’ Compensation Commission.

9 BY repealing and reenacting, with amendments,
10 Article – Health – General
11 Section 4–306(b)(9) and (10)
12 Annotated Code of Maryland
13 (2005 Replacement Volume and 2006 Supplement)

14 BY adding to
15 Article – Health – General
16 Section 4–306(b)(10)
17 Annotated Code of Maryland
18 (2005 Replacement Volume and 2006 Supplement)

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

21 **Article – Health – General**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 4-306.

2 (b) A health care provider shall disclose a medical record without the
3 authorization of a person in interest:

4 (9) To a State or local child fatality review team established under
5 Title 5, Subtitle 7 of this article as necessary to carry out its official functions; [or]

6 **(10) NOTWITHSTANDING PARAGRAPH (6) OF THIS SUBSECTION,**
7 **SUBJECT TO THE ADDITIONAL LIMITATIONS FOR A MEDICAL RECORD**
8 **DEVELOPED PRIMARILY IN CONNECTION WITH THE PROVISION OF MENTAL**
9 **HEALTH SERVICES UNDER § 4-307 OF THIS SUBTITLE, IN ACCORDANCE WITH A**
10 **SUBPOENA FOR A MEDICAL RECORD FOR A CASE BEFORE THE WORKERS'**
11 **COMPENSATION COMMISSION; OR**

12 **[(10)] (11)** To a local domestic violence fatality review team established
13 under Title 4, Subtitle 7 of the Family Law Article as necessary to carry out its official
14 functions.

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
16 October 1, 2007.