

Chapter 695

(House Bill 1510)

AN ACT concerning

Medical Records – Notice of Destruction – Method

FOR the purpose of requiring that notice of the destruction of medical records be provided by first-class mail or by e-mail, rather than by both methods, except under certain circumstances; and generally relating to the destruction of medical records.

BY repealing and reenacting, without amendments,
Article – Health – General
Section 4–403(b) and (c)
Annotated Code of Maryland
(2023 Replacement Volume and 2024 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 4–403(d)
Annotated Code of Maryland
(2023 Replacement Volume and 2024 Supplement)

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

Article – Health – General

4–403.

(b) Except for a minor patient, unless a patient is notified, a health care provider may not destroy a medical record or laboratory or X-ray report about a patient for 7 years after the record or report is made.

(c) In the case of a minor patient, a medical record or laboratory or X-ray report about a minor patient may not be destroyed until the patient attains the age of majority plus 7 years, unless:

(1) The parent or guardian of the minor patient is notified; or

(2) If the medical care documented in the record was provided under § 20–102(c) or § 20–103(c) of this article, the minor patient is notified.

(d) **(1)** The notice under subsection (b) or (c) of this section shall:

~~(1)~~ **(I)** Be made by:

~~(i)~~ **1.** First-class mail to the last known address of the patient;
[and] OR

~~(ii)~~ **2.** ~~E-mail~~ **SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, E-MAIL** to the last known e-mail address of:

~~1.~~ **A.** The patient; or

~~2.~~ **B.** If the patient is a minor and the medical care documented in the record was not provided under § 20-102(c) or § 20-103(c) of this article, the parent or guardian of the patient;

~~(2)~~ **(II)** Include the date on which the record of the patient shall be destroyed; and

~~(3)~~ **(III)** Include a statement that the record or synopsis of the record, if wanted, must be retrieved at a designated location.

(2) IF NOTICE IS PROVIDED UNDER PARAGRAPH (1)(I)2 OF THIS SUBSECTION AND NO RESPONSE OR DELIVERY RECEIPT IS OBTAINED FROM THE E-MAIL ADDRESS TO WHICH NOTICE WAS PROVIDED, THE HEALTH CARE PROVIDER SHALL PROVIDE NOTICE UNDER PARAGRAPH (1)(I)1 OF THIS SUBSECTION AT LEAST 10 DAYS BEFORE THE DATE ON WHICH THE RECORD IS TO BE DESTROYED.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2025.

Approved by the Governor, May 20, 2025.