

HOUSE BILL 489

J1, J3

6lr2260

By: **Delegate Kerr**

Introduced and read first time: January 27, 2026

Assigned to: Health

A BILL ENTITLED

1 AN ACT concerning

2 **Electronic Health Networks and Electronic Medical Record Vendors of Nursing**
3 **Homes – Release of Records – Fees**

4 FOR the purpose of repealing a provision of law prohibiting an electronic health network
5 or electronic medical record vendor from charging a fee for the release of certain
6 patient records or transactions; and generally relating to electronic health networks
7 and electronic medical record vendors of nursing homes.

8 BY repealing and reenacting, with amendments,
9 Article – Health – General
10 Section 4–302.6
11 Annotated Code of Maryland
12 (2023 Replacement Volume and 2025 Supplement)

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

15 **Article – Health – General**

16 4–302.6.

17 (a) (1) In this section the following words have the meanings indicated.

18 (2) “Business associate” has the meaning stated in 45 C.F.R. § 160.103.

19 (3) “Electronic health care transactions” has the meaning stated in §
20 4–302.3 of this subtitle.

21 (4) “Electronic health network” has the meaning stated in § 4–302.3 of this
22 subtitle.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(5) “Nursing home” has the meaning stated in § 19–1401 of this article.

(b) (1) If a nursing home contracts with or uses an electronic health network or electronic medical record vendor, the nursing home may direct the electronic health network or electronic medical record vendor to release patient medical records or electronic health care transactions held by the electronic health network or electronic medical record vendor to a business associate of the nursing home.

(2) An electronic health network or electronic medical record vendor releasing patient medical records or electronic health care transactions under paragraph (1) of this subsection:

(i) Shall release the patient medical records or electronic health care transactions in an electronic format that conforms to the specifications of the Office of the National Coordinator for Health Information Technology or another form required by the State–designated health information exchange;

(ii) Shall make the patient medical records or electronic health care transactions available on a regular basis and release the information in a timely manner to support patient care and monitoring; and

(iii) May not restrict[, OR limit[, or charge a fee for] the release of the patient medical records or electronic health care transactions.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2026.