

Department of Legislative Services  
Maryland General Assembly  
2026 Session

FISCAL AND POLICY NOTE  
First Reader

Senate Bill 563  
Finance

(Senator Gile, *et al.*)

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Health Facilities - Confidentiality of Medical Records - Crisis Pregnancy Clinics

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This bill expands the definition of “health care provider” specific to which entities are subject to the Confidentiality of Medical Records Act to include a crisis pregnancy clinic, including a mobile facility that provides pregnancy-related health care and is not a covered entity under the federal Health Insurance Portability and Accountability Act (HIPAA).

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Fiscal Summary

**State Effect:** None. The change is technical in nature and does not directly affect governmental finances.

**Local Effect:** None. The change is technical in nature and does not directly affect local governmental finances.

**Small Business Effect:** Minimal.

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Analysis

**Current Law:** “Health care provider” means (1) a person licensed, certified, or otherwise authorized under law to provide health care in the ordinary course of business or practice of a profession or in an approved education or training program or (2) a facility where health care is provided to patients or recipients, including a facility, hospital, related institution, health maintenance organization, outpatient clinic, medical laboratory, comprehensive crisis response center, crisis stabilization center, and crisis treatment center.

“Health care provider” includes the agents, employees, officers, and directors of a facility and the agents and employees of a health care provider.

### *Confidentiality of Medical Records Act*

Maryland's Confidentiality of Medical Records Act requires health care providers and facilities to keep the medical record of a patient confidential and obtain written consent for disclosure, even for purposes of treatment and payment. Generally, a person to whom a medical record is disclosed may not redisclose the medical record unless authorized by the person in interest. Exceptions are made for such purposes as provision of health care services, billing, utilization review, and legal claims.

### *Health Insurance Portability and Accountability Act*

Under HIPAA, covered entities may not use or disclose protected health information except either as the privacy rule permits or as an individual authorizes in writing. Covered entities may disclose protected health information without an individual's authorization for such purposes as treatment, payment, health care operations, and public interest activities. The HIPAA privacy rule defines "covered entities" as health plans, health care clearinghouses, and health care providers. "Protected health information" is individually identifiable health information that is transmitted or maintained by electronic media or any other form or medium, excluding individually identifiable health information in education records covered by the Family Educational Rights and Privacy Act, student health records for individuals attending an institution of postsecondary education who are at least age 18, and employment records held by a covered entity in its role as employer.

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## **Additional Information**

**Recent Prior Introductions:** Similar legislation has not been introduced within the last three years.

**Designated Cross File:** HB 615 (Delegate Cullison) - Health.

**Information Source(s):** Maryland Department of Health; Department of Legislative Services

**Fiscal Note History:** First Reader - February 15, 2026  
sj/jc

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