



Larry Hogan, Governor · Boyd K. Rutherford, Lt. Governor · Dennis R. Schrader, Secretary

March 14, 2022

The Honorable Shane E. Pendergrass
Chair, House Health and Government Operations Committee
Room 241, House Office Building
Annapolis, MD 21401-1991

RE: HB 1358 - Health - Protection of Personal Medical Information - Letter of Information

Dear Chair Pendergrass and Committee Members:

The Maryland Department of Health (MDH) is submitting this letter of information for House Bill (HB) 1358 - Health - Protection of Personal Medical Information. HB 1358 establishes that each individual within the State has a right to confidentiality and privacy concerning their own personal medical information. It will also prohibit certain persons, including an employer, from requiring the release of an individual's personal medical information under certain circumstances.

As written, HB 1358 will prevent MDH, local health departments, schools, hospitals, and other healthcare facilities from accessing essential medical information based on personal medical information. This could, for example, limit local health departments from restricting food service workers with acute hepatitis A or typhoid infections from food handling while infectious, or from restricting a child with infectious tuberculosis (TB) from attending school. Further, this could potentially limit the future ability of MDH and local health departments to require isolation or quarantine for any infection (e.g., Ebola or TB) based on personal medical information.

Additionally, this bill prevents MDH or a Local Health Officer (LHO) from requiring reports of infections or other reportable diseases, since they contain personal medical information, and will prevent MDH or LHOs from requiring physicians or other healthcare providers to submit crucial follow-up information in response to an infectious disease threat or other reportable condition.

Finally, MDH would like to note that the release and use of private health information is already protected by a range of existing state and federal statutes and regulations, such as the Americans with Disabilities Act (1990).

If you have any questions or comments please contact Heather Shek, Director, Office of Governmental Affairs, at 410-260-3190 or heather.shek@maryland.gov.

Sincerely,

Dennis R. Schrader
Secretary