



2026 WRITTEN TESTIMONY

ELECTRONIC HEALTH NETWORKS AND ELECTRONIC MEDICAL RECORD
VENDORS OF NURSING HOMES - RELEASE OF RECORDS - FEES

HB 489 - UNFAVORABLE

Proving a nursing home neglect case already involves high costs for obtaining records, expert review, and other litigation costs. Allowing vendors to bill for releasing records will invite new fees that will get passed on to patients, families, and their counsel. The result of these increased costs is less accountability for substandard care, not more efficiency.

There is no demonstrated problem that this bill supposedly solves. Vendors already get paid by nursing homes for providing electronic medical record and network services. The existing prohibition on fees for these releases is a narrow, targeted protection that ensures the flow of information needed for monitoring patient care, coordinating services, and, when necessary, evaluating potential neglect or abuse. Removing that prohibition shifts bargaining power toward large technology vendors and away from residents, families, and small law firms who handle nursing home neglect cases, and who do not have the leverage to negotiate these fees or absorb them as a cost of doing business.

Finally, HB 489 runs counter to Maryland's broader policy of promoting transparency in health care. Access to complete, timely medical records is the foundation for quality oversight, informed decision-making, and fair resolution of disputes. Adding another financial barrier to families seeking to learn the truth about what happened in a nursing home will lead to fewer meritorious cases being brought, less deterrence of poor care, and more preventable harm that never comes to light.

Maryland Association for Justice urges an UNFAVORABLE Report on HB489.

About Maryland Association for Justice

The Maryland Association for Justice (MAJ) represents over 1,250 trial attorneys throughout the state of Maryland. MAJ advocates for the preservation of the civil justice system, the protection of the rights of consumers and the education and professional development of its members.

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