



Board of Physicians

Wes Moore, Governor · Aruna Miller, Lt. Governor · Harbhajan Ajrawat, M.D., Chair

2026 SESSION POSITION PAPER

BILL NO.: House Bill 450
COMMITTEE: Judiciary
POSITION: Letter of Support with Amendment

TITLE: Criminal Procedure-Protection of Identity of Victim of Sexual Assault or Stalking

BILL ANALYSIS: This bill would prohibit courts and certain third parties involved in criminal or juvenile delinquency proceedings from providing unredacted records identifying victims of sexual assault or stalking.

POSITION AND RATIONALE: The Maryland Board of Physicians (the “Board”) supports HB 450 with amendments.

The Board is a health occupations regulatory board established by the Maryland General Assembly and charged with protecting the health, safety, and welfare of Maryland's citizens. The Board fulfills this mandate by licensing qualified physicians and allied health professionals and by investigating complaints received from the public and law enforcement alleging violations of the Board’s statutes and regulations, as well as applicable criminal laws. Each health occupations board, under [Health Occupations, § 1-212](#), Annotated Code of Maryland, is required to implement sexual misconduct regulations and is authorized to deny a license or impose a sanction, including license revocation, if an applicant or licensee violates those regulations.

The Board strongly supports efforts to protect the privacy and identity of victims of sexual assault and stalking, particularly minors. Safeguarding vulnerable victims is a critical public policy goal, and the Board recognizes the importance of minimizing further harm to these individuals.

As currently drafted, HB 450 would prevent the Board’s access to identifying information in cases where a licensed physician or an allied health practitioner is the alleged perpetrator of a sexual crime. Without access to victim information, the Board could not effectively investigate and administratively prosecute a licensee who may pose a risk to the public.

Board investigations have strict confidentiality requirements in statute (See [Health Occupations, § 14-411](#), Annotated Code of Maryland), and the Board does not publicly disclose any victim identities. The Board, however, does require limited, confidential access to identifying information solely for official investigatory and enforcement purposes, consistent with its statutory obligations and existing confidentiality protections. While the Board’s Disciplinary Orders are public, the names of patients, staff, facilities, etc., are not published in the public order.

The Board receives anywhere from 1 to 7 referrals from law enforcement each year in cases where there is a sexual misconduct victim. Law enforcement has referred cases to the Board where the burden of proof was not met for the criminal case, but the Board was still able to discipline the licensee because of the lower standard of proof required in licensing board cases. To properly investigate, the Board would need an unredacted copy of the law enforcement investigation to be able to interview the victim and other potential witnesses. In order to charge with a violation of the sexual misconduct regulations, the Board must prove a nexus between the physician, the sexual assault victim, and the practice of medicine.

The Board's disciplinary grounds permit the Board to revoke or suspend a license if the licensee is convicted of or pleads guilty or nolo contendere with respect to a crime involving moral turpitude (Health Occupations, [14-404\(b\)](#), [14-5A-17\(c\)\(1\)](#), [14-5B-14\(c\)\(1\)](#), [14-5C-17\(c\)\(1\)](#), [14-5D-14\(b\)\(1\)](#), [14-5E-16\(c\)\(1\)](#), [14-5F-18\(c\)\(1\)](#), [14-5G-18\(c\)\(1\)](#), [15-314\(b\)\(1\)](#), Annotated Code of Maryland). However, a crime involving moral turpitude in the sexual assault context is ambiguous and very much depends on the facts of the case. This is especially concerning regarding cases of stalking, which have limited-to-no precedent to be considered a crime involving moral turpitude.

Furthermore, requiring the Board to wait until a conviction or guilty plea is obtained before receiving information essential to the investigation is very concerning. There have been instances in which a practitioner was charged with sexual assault, and over two years elapsed between the arrest and the ultimate conviction. If the Board is unable to access vital information needed for the Board to take disciplinary action, a practitioner with an active license may still practice in various ways during the pendency of the criminal case, including by posting bail or practicing telehealth while incarcerated.

For all of these reasons, the Board of Physicians respectfully requests an amendment to HB 450 (attached) to exempt the Board from the bill's restrictions, allowing the Board to continue to access this vital information solely for its regulatory investigations and enforcement actions. Such an amendment would preserve critical victim protection while ensuring that the Board can continue to fulfill its public safety mission.

Thank you for your consideration. For more information, please contact Madeline DelGreco, Manager of Policy and Legislation, at the Maryland Board of Physicians, at 410-764-5053

Sincerely,



Harbhajan Ajrawat, M.D.
Chair, Maryland Board of Physicians

The opinion of the Board expressed in this document does not necessarily reflect that of the Maryland Department of Health or the Administration.

Attachment - Suggested Amendment

AMENDMENT TO HB 450 -CRIMINAL PROCEDURE - PROTECTION OF IDENTITY OF VICTIM OF SEXUAL ASSAULT OR STALKING

Article - Criminal Procedure

11-301.

(3) EXCEPT AS PROVIDED IN SUBSECTION (5) OF THIS SECTION, NOTWITHSTANDING ANY OTHER LAW, ON NOTICE THAT A CASE FILING OR RECORD INCLUDES IDENTIFYING INFORMATION OF A VICTIM OF SEXUAL ASSAULT OR A VICTIM OF STALKING, UNLESS THE COURT FINDS CLEAR AND CONVINCING EVIDENCE THAT THERE IS GOOD CAUSE TO ORDER OTHERWISE, THE COURT OR A PARTY IN A CRIMINAL OR JUVENILE DELINQUENCY CASE MAY NOT DISCLOSE OR ALLOW INSPECTION OF AN ELECTRONIC OR PAPER COURT FILING OR RECORD, INCLUDING A CHARGING DOCUMENT, TO A NONPARTY TO THE CRIMINAL OR JUVENILE DELINQUENCY CASE, EXCEPT TO THE VICTIM OR THE VICTIM'S REPRESENTATIVE, UNLESS THE COURT OR THE PART DISCLOSING OR ALLOWING INSPECTION OF THE FILING OR RECORDS REDACTS ALL IDENTIFYING INFORMATION.

(4) ON WRITTEN REQUEST OF A VICTIM OF SEXUAL ASSAULT OR A VICTIM OF STALKING, THE COURT SHALL REDACT IDENTIFYING INFORMATION RELATING TO THE VICTIM FROM AN EXISTING FILING OR RECORD.

(5) THIS SECTION DOES NOT APPLY TO A SUBPOENA FROM A HEALTH OCCUPATIONS BOARD IN FURTHERANCE OF AN INVESTIGATION.