

HOUSE BILL 876

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3lr2078
CF SB 644

By: ~~Delegate Smith~~ Delegates Smith, Pena-Melnyk, Cullison, Alston, Bagnall, Bhandari, Chisholm, Guzzone, Hill, Hutchinson, Kaiser, Kerr, R. Lewis, Lopez, Martinez, M. Morgan, Reilly, Rosenberg, Szeliga, Taveras, White, and Woods

Introduced and read first time: February 9, 2023
Assigned to: Health and Government Operations

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 24, 2023

CHAPTER _____

1 AN ACT concerning

2 **Maternal Mortality Review Program – Local Teams – Access to ~~Information and~~**
3 **Records**

4 FOR the purpose of ~~altering the information to which a local maternal mortality review~~
5 ~~team is to be provided access on request of the chair of the team; requiring that a~~
6 ~~local team be provided immediate access to requested information; requiring certain~~
7 health care providers and health care facilities to provide certain access to certain
8 medical records to the local maternal mortality review team under certain
9 circumstances; providing that certain provisions of law related to the confidentiality
10 of medical records do not apply to certain disclosures made to a local team; and
11 generally relating to access to ~~information and~~ records by local maternal mortality
12 review teams.

13 BY repealing and reenacting, with amendments,
14 Article – Health – General
15 Section ~~13-1200~~ 13-1205
16 Annotated Code of Maryland
17 (2019 Replacement Volume and 2022 Supplement)

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 Article – Health – General

2 13–1205.

3 (a) A health care provider or health care facility, as defined under Title 19,
 4 Subtitles 3, 3A, and 3B of this article, shall provide the Maternal Mortality Review Program
 5 reasonable access to all relevant medical records associated with a case under review by
 6 the Maternal Mortality Review Program.

7 **(B) A HEALTH CARE PROVIDER OR HEALTH CARE FACILITY, AS DEFINED**
 8 **UNDER TITLE 19, SUBTITLES 3, 3A, AND 3B OF THIS ARTICLE, SHALL PROVIDE TO**
 9 **THE LOCAL TEAM, ON REQUEST OF THE CHAIR, PROMPT ACCESS TO ALL RELEVANT**
 10 **MEDICAL RECORDS ASSOCIATED WITH A CASE UNDER REVIEW BY THE MATERNAL**
 11 **MORTALITY REVIEW PROGRAM WITHOUT UNDUE DELAY.**

12 **[(b)] (C) The provisions of Title 4, Subtitle 3 of this article do not apply to a**
 13 **disclosure made to the Program OR TO A LOCAL TEAM under this subtitle.**

14 ~~13–1209.~~

15 ~~On request of the chair of the local team and as necessary to carry out the local team's~~
 16 ~~purpose and duties, the local team shall be provided:~~

17 ~~(1) [Access] IMMEDIATE ACCESS to all [relevant] information and records~~
 18 ~~[in accordance with the local team's data use agreement with the Department],~~
 19 ~~INCLUDING INFORMATION ON PRENATAL CARE MAINTAINED BY A HEALTH CARE~~
 20 ~~PROVIDER REGARDING A WOMAN WHOSE DEATH IS BEING REVIEWED BY THE LOCAL~~
 21 ~~TEAM; and~~

22 ~~(2) [Access] IMMEDIATE ACCESS, to the extent allowed by law, to all~~
 23 ~~information and records maintained by any State or local government agency, law~~
 24 ~~enforcement investigative information, medical examiner investigative information, parole~~
 25 ~~and probation information and records, and information and records of a social services~~
 26 ~~agency that provided services to a woman whose death is being reviewed by the local team.~~

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
 28 October 1, 2023.