

SENATE BILL 543

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9lr2833

By: **Senator Lam**

Introduced and read first time: February 4, 2019

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Health – Vital Records – Security Protocols and Protections**

3 FOR the purpose of requiring the Maryland Department of Health to develop and
4 implement certain security protocols and protections to prohibit certain persons from
5 accessing certain vital records and minimize the disclosure of certain information
6 from a certain database; requiring certain security protocols and protections to
7 include an auditable record of certain information; and generally relating to security
8 protocols and protections for vital records.

9 BY repealing and reenacting, without amendments,
10 Article – Health – General
11 Section 4–217(a)(1)
12 Annotated Code of Maryland
13 (2015 Replacement Volume and 2018 Supplement)

14 BY repealing and reenacting, with amendments,
15 Article – Health – General
16 Section 4–217(a)(2)
17 Annotated Code of Maryland
18 (2015 Replacement Volume and 2018 Supplement)

19 BY adding to
20 Article – Health – General
21 Section 4–217(h)
22 Annotated Code of Maryland
23 (2015 Replacement Volume and 2018 Supplement)

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

26 **Article – Health – General**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 4-217.

2 (a) (1) Except as provided in subsection (b) of this section, the Secretary shall
3 provide, on request, any person authorized by regulations adopted under this subtitle with
4 a certified or abridged copy of a birth, death, or fetal death certificate registered under this
5 subtitle or of the certificate of a marriage performed after June 1, 1951.

6 (2) Except as provided in subsection (b) of this section **AND SUBJECT TO**
7 **SUBSECTION (H) OF THIS SECTION**, a local health department or the Motor Vehicle
8 Administration may:

9 (i) Access electronically from the Department a certified or abridged
10 copy of a birth certificate registered under this subtitle; and

11 (ii) On request, provide any person authorized by regulations
12 adopted under this subtitle with a certified or abridged copy of a birth certificate registered
13 under this subtitle.

14 **(H) (1) THE DEPARTMENT SHALL DEVELOP AND IMPLEMENT SECURITY**
15 **PROTOCOLS AND OTHER PROTECTIONS TO:**

16 **(I) ENSURE A PERSON WITHOUT AUTHORIZATION IS**
17 **PROHIBITED FROM ACCESSING ANY VITAL RECORDS; AND**

18 **(II) MINIMIZE THE DISCLOSURE OF AND THE ACCESS TO**
19 **MEDICALLY SENSITIVE INFORMATION FROM THE VITAL RECORDS DATABASE BY**
20 **EMPLOYEES NOT EMPLOYED BY THE DEPARTMENT.**

21 **(2) THE SECURITY PROTOCOLS AND OTHER PROTECTIONS**
22 **DEVELOPED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL INCLUDE AN**
23 **AUDITABLE RECORD OF THE FOLLOWING INFORMATION:**

24 **(I) THE DATE AND TIME A CERTIFIED OR ABRIDGED COPY OF A**
25 **BIRTH CERTIFICATE WAS PRINTED;**

26 **(II) THE IDENTIFICATION OF THE EMPLOYEE WHO PRINTED**
27 **THE CERTIFIED OR ABRIDGED COPY OF THE BIRTH CERTIFICATE; AND**

28 **(III) A SCANNED COPY OF THE GOVERNMENT-ISSUED**
29 **IDENTIFICATION CARD OF THE EMPLOYEE WHO PRINTED THE CERTIFIED OR**
30 **ABRIDGED COPY OF THE BIRTH CERTIFICATE.**

31 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
32 October 1, 2019.