

(iii) Subject to subpoena or discovery in any criminal or civil proceeding only pursuant to a court order sealing the court record.

(2) This subsection does not apply to a disclosure by the Secretary to another governmental agency performing its lawful duties as authorized by an act of the Maryland General Assembly or the United States Congress where the Secretary determines that:

(i) The agency to whom the information is disclosed will maintain the confidentiality of the disclosure; and

(ii) The disclosure is necessary to protect the public health or to prevent the spread of an infectious or contagious disease.

18-207.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) "HIV/AIDS CASE REPORT" MEANS AN ABSTRACT OF THE MEDICAL RECORD OF A PATIENT DIAGNOSED WITH HUMAN IMMUNODEFICIENCY VIRUS OR ACQUIRED IMMUNODEFICIENCY SYNDROME WHICH CONTAINS:

(I) REASONABLY OBTAINED PATIENT DEMOGRAPHIC INFORMATION, INCLUDING RISK FACTORS;

(II) RELEVANT INFORMATION ON THE:

1. INITIAL DIAGNOSIS;
2. TREATMENT AND REFERRAL; AND
3. CLINICAL CONDITION;

(III) FACILITY AND OTHER PROVIDER IDENTIFICATION INFORMATION; AND

(IV) FOR REPORTS OF HIV, THE UNIQUE IDENTIFIER OF THE PATIENT, BUT NOT THE PATIENT'S NAME.

(3) "REPORT" MEANS:

(I) A LABORATORY EXAMINATION REPORT FOR HIV OR CD 4+ COUNT AS REQUIRED BY § 18-205 OF THIS SUBTITLE;

(II) A PHYSICIAN REPORT FOR AIDS AS REQUIRED BY § 18-201.1 OF THIS SUBTITLE; OR

(III) AN HIV/AIDS CASE REPORT.

(4) "DESIGNATED ANONYMOUS HIV TEST SITE" MEANS AN HIV COUNSELING AND TESTING SITE APPROVED BY THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE AS A SITE WHERE A PATIENT MAY HAVE AN ANONYMOUS HIV TEST.