

# **Title 10 MARYLAND DEPARTMENT OF HEALTH**

## **Subtitle 29 BOARD OF MORTICIANS AND FUNERAL DIRECTORS**

### **Chapter 14 Compelling Purpose Disclosure**

#### **10.29.14.00 Compelling Purpose Disclosure**

Authority: General Provisions Article, §4-333; Health Occupations Article, §7-205; Annotated Code of Maryland

#### **10.29.14.01 Scope.**

- A. This chapter permits the Board to disclose investigative information to other agencies, or other entities, or both, under certain circumstances.
- B. A custodian may disclose information in a licensing or investigative file if the custodian determines that a compelling public purpose exists to warrant disclosure.

#### **10.29.14.02 Disclosure for Compelling Public Purpose.**

The custodian may find that a compelling public purpose warrants disclosure of information in a licensing or investigative file, regardless of whether there has been a request for the information, and may disclose the information under the following circumstances:

- A. The information concerns possible criminal activity, and is disclosed to a federal, state, or local law enforcement or prosecutorial official or authority;
- B. The information concerns a possible violation of law, and is disclosed to a federal, state, or local authority that has jurisdiction over the individual whose conduct may be a violation, and the information disclosed is limited to information relevant to the possible violation by that individual;  
or
- C. The information concerns conduct by an individual which the Board reasonably believes may pose a risk to the public health, safety, or welfare, and is disclosed to a law enforcement authority, administrative official or agency that regulates the individual, or to a hospital or other health care facility where the individual has privileges.

#### **10.29.14.03 Other Disclosures.**

This chapter does not prevent or limit the ability of the Board to disclose general licensing information as provided in General Provisions Article, §4-333, Annotated Code of Maryland, or any information which the Board may otherwise disclose by law.

#### **10.29.14.9999 Administrative History**

Effective date: April 15, 2002 (29:7 Md. R. 621)