

Title 10 DEPARTMENT OF HEALTH AND MENTAL HYGIENE

Subtitle 29 BOARD OF MORTICIANS AND FUNERAL DIRECTORS

Chapter 14 Compelling Purpose Disclosure

**Authority: Health Occupations Article, §7-205; State Government Article, §10-617(h)(3);
Annotated Code of Maryland**

10.29.14.01

.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

.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

.03 Other Disclosures.

This chapter does not prevent or limit the ability of the Board to disclose general licensing information as provided in State Government Article, §10-617(h), 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)