



Submitting Progress Updates on the Implementation of Requirements for Legally Protected Health Information

Information for Electronic Health Networks and Health Information Exchanges

March 2026

BACKGROUND

[Maryland law \(2023\)](#) prohibits the disclosure of legally protected health information (LPHI) by electronic health network (EHN) and health information exchange (HIE) entities operating in the State (also referred to as technology vendors) with some exceptions (e.g., the adjudication of claims). The Maryland Department of Health (MDH) adopted regulations (COMAR 10.11.08) that define LPHI. The Maryland Health Care Commission (MHCC) is responsible for ensuring technology vendors comply with LPHI requirements. Existing EHN and HIE regulatory frameworks, [COMAR 10.25.07, Certification of Electronic Health Networks and Medical Care Electronic Claims Clearinghouses](#) and [COMAR 10.25.18, Health Information Exchanges: Privacy and Security of Protected Health Information](#), were amended to support implementation of the law, which became effective on February 9, 2024.

FINES

The law permits EHNs and HIEs to be fined for noncompliance, not to exceed \$10,000 per day. Note, fines will begin accruing in 2026 for technology vendors that have not fully implemented requirements for LPHI; fines will only be assessed if implementation is not completed before January 2027. An [Affirmation of Compliance](#) form is available for technology vendors to complete and submit to MHCC once they are compliant with the regulatory requirements.

PROGRESS UPDATES

The MHCC kindly requests technology vendors submit ongoing progress updates at least quarterly in accordance with the following schedule.

Q1 2026 – Friday, April 3, 2026

Q2 2026 – Friday, July 3, 2026

Q3 2026 – Friday, October 2, 2026

Q4 2026 – Friday, January 4, 2027



Directions

Specify the percent of work complete for developing and implementing technological capabilities and/or policies for LPHI codes, text, and direct consent. Please minimally include the information requested below and omit trade secrets or confidential business and financial information as defined in the [Maryland Public Information Act](#).

Mifepristone and Related Abortion Care

Percent Complete

Codes: _____

Text: _____

Consent: _____

Anticipated Completion

Date: _____

Gender-Affirming Care

Percent Complete

Codes: _____

Text: _____

Consent: _____

Anticipated Completion

Date: _____



AFFIRMATION OF ACCURACY

I solemnly affirm under penalties of perjury that the contents of this progress update and any supplementary information are true to the best of my knowledge, information, and belief.

Name: _____

Title: _____

Organization: _____

Date: _____

QUESTIONS

Questions about the statutory and regulatory requirements and how to complete this progress update can be directed to Anna Gribble at anna.gribble1@maryland.gov.

