



April 1, 2025

The Honorable Pamela G. Beidle  
Chair, Senate Finance Committee  
3 East Miller Senate Office Building  
11 Bladen Street  
Annapolis, MD 21401

The Honorable Joseline A. Peña-Melnyk  
Chair, Health and Government Operations Committee  
Taylor House Office Building, Room 241  
6 Bladen Street  
Annapolis, MD 21401

**Re: SB0786/CH0248, HB0812/CH0249 (2023) (MSAR # 14912) – Health - Reproductive Health Services - Protected Information and Insurance Requirements (January – March 31, 2025)**

Dear Chair Beidle and Chair Peña-Melnyk:

The Maryland Health Care Commission (“MHCC”) is submitting this letter as required by the above referenced law, which established protections for mifepristone data, as well as diagnoses, procedures, medications, or related codes for abortion care (herein referred to as “LPHI”). This is the seventh update on the implementation of the law and supporting regulations, COMAR 10.25.18, *Health Information Exchanges: Privacy and Security of Protected Health Information* and COMAR 10.25.07, *Certification of Electronic Health Networks and Medical Care Electronic Claims Clearinghouses*.

Health Information Exchange (“HIE”) organizations are making progress in implementing technical solutions to restrict the disclosure of LPHI. HIEs requested additional time to complete the modifications necessary to suppress the exchange of text-based LPHI and support directed consent. A 12-month exemption for HIEs, as permitted by COMAR 10.25.18, was approved by MHCC in December 2024. HIEs were requested to provide MHCC with a written update on their compliance progress by March 31, 2025. The MHCC continues to provide consultative support to HIEs and attend quarterly meetings of the Electronic Health Record Association to address HIE’s questions.

The Protected Health Care Commission (“PHCC”) voted at its February 11, 2025 meeting to recommend to the Maryland Secretary of Health that gender-affirming care be added to the definition of LPHI. The MHCC cautioned the PHCC against expanding the definition too quickly, as HIEs have indicated that full compliance with the existing law is not expected until around 2026. The MHCC has met with the Chair of the PHCC to discuss provider and HIE concerns related to expanding the definition of LPHI.

If you have any questions regarding this update, please do not hesitate to contact me at 410-764-353578 or [dsharp@maryland.gov](mailto:dsharp@maryland.gov) or Tracey DeShields, Director of Policy Development and External Affairs, at [tracey.deshields2@maryland.gov](mailto:tracey.deshields2@maryland.gov) or 410-764-3588.

Sincerely,



David Sharp,  
Acting Executive Director

cc: Bill Ferguson, Senate President, Maryland General Assembly  
Adrienne A. Jones, House Speaker, Maryland General Assembly  
Ryan Moran, Acting Secretary, Maryland Department Health  
Marie Grant, Insurance Administration Commissioner, Maryland Insurance Administration  
Jonny Dorsey, Deputy Chief of Staff, Governor's Office  
June Chung, Deputy Legislative Officer, Governor's Office  
Jason Heo, Policy Advisor, Governor's Office  
Sophie Bergmann, Policy Advisor, Governor's Office  
Senate Finance Committee Members  
House Health And Government Operations Committee Members  
Amber Gundlach, Policy Analyst and Legislative Counsel, Senate Finance Committee  
Erin Hopwood, Principle Policy Analyst and Legislative Counsel, House Health and Government  
Operations Committee  
Sarah Albert, Mandated Reports Specialist, Department of Legislative Services (5 copies)  
David Sharp, Director, Center for Health Information Technology and Innovative Care Delivery,  
MHCC  
Nicole Majewski, Chief, Health Information Technology, MHCC  
Tracey DeShields, Director, Policy Development and External Affairs, MHCC