

Chapter 29

(Senate Bill 102)

AN ACT concerning

Health – Use of Alternate Care Sites During a State of Emergency – Authorization

FOR the purpose of authorizing the Governor to promulgate certain orders, rules, or regulations to authorize the use of certain alternate care sites by ~~accredited~~ licensed health care facilities during a declared state of emergency under certain circumstances; defining certain terms; and generally relating to the use of alternate care sites during a state of emergency.

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 14–301 and 14–303(b)
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Public Safety

14–301.

(a) In this subtitle the following words have the meanings indicated.

(B) “ALTERNATE CARE SITE” MEANS AN AREA THAT:

(1) (I) IS NOT LOCATED ON A HEALTH CARE FACILITY’S PREMISES; OR

(II) IS LOCATED ON A HEALTH CARE FACILITY’S PREMISES IN AN AREA NOT TYPICALLY USED TO PROVIDE MEDICAL SERVICES, NURSING SERVICES, OR OTHER HEALTH–RELATED SERVICES; AND

(2) IS USED BY ~~AN ACCREDITED~~ A LICENSED HEALTH CARE FACILITY;

(I) TO PROVIDE MEDICAL SERVICES, NURSING SERVICES, OR OTHER HEALTH-RELATED SERVICES DURING A DECLARED STATE OF EMERGENCY; AND

(II) THAT HAS ACCESS TO AN EMERGENCY ELECTRICAL POWER GENERATOR.

[(b)] (C) “Energy emergency” means a situation in which the health, safety, or welfare of the public is threatened by an actual or impending acute shortage in energy resources.

(D) “HEALTH CARE FACILITY” HAS THE MEANING STATED IN § 19-114 OF THE HEALTH – GENERAL ARTICLE.

[(c)] (E) “Public emergency” means:

(1) a situation in which three or more individuals are at the same time and in the same place engaged in tumultuous conduct that leads to the commission of unlawful acts that disturb the public peace or cause the unlawful destruction or damage of public or private property;

(2) a crisis, disaster, riot, or catastrophe; or

(3) an energy emergency.

14-303.

(b) After proclaiming a state of emergency, the Governor may promulgate reasonable orders, rules, or regulations that the Governor considers necessary to protect life and property or calculated effectively to control and terminate the public emergency in the emergency area, including orders, rules, or regulations to:

(1) control traffic, including public and private transportation, in the emergency area;

(2) designate specific zones in the emergency area in which the occupancy and use of buildings and vehicles may be controlled;

(3) control the movement of individuals or vehicles into, in, or from the designated zones;

(4) control places of amusement and places of assembly;

(5) control individuals on public streets;

- (6) establish curfews;
- (7) control the sale, transportation, and use of alcoholic beverages;
- (8) control the possession, sale, carrying, and use of firearms, other dangerous weapons, and ammunition; [and]
- (9) control the storage, use, and transportation of explosives or flammable materials or liquids considered to be dangerous to public safety, including “Molotov cocktails”; AND

(10) AUTHORIZE THE USE OF ALTERNATE CARE SITES.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2014.

Approved by the Governor, April 8, 2014.