SENATE BILL 329

J1, F2

By: Senators Waldstreicher and Rosapepe
Introduced and read first time: January 22, 2020
Assigned to: Education, Health, and Environmental Affairs
Committee Report: Favorable with amendments
Senate action: Adopted
Read second time: February 26, 2020

CHAPTER ______

AN ACT concerning

Public Institutions of Higher Education – Outbreak Response Plan
(Olivia’s Law)

FOR the purpose of requiring a public institution of higher education to submit an outbreak
response plan to the Maryland Department of Health on or before a certain date each
year; requiring a public institution of higher education to implement the outbreak
response plan under certain circumstances; requiring the outbreak response plan to
include certain protocols and processes and the provision of certain staff; requiring
the Department, in consultation with the Maryland Higher Education Commission,
to adopt certain regulations; defining a certain term; and generally relating to public
institutions of higher education and outbreak response plans.

BY adding to
Article – Health – General
Section 18–214.2
Annotated Code of Maryland
(2019 Replacement Volume)

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

Article – Health – General

18–214.2.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.
Underlining indicates amendments to bill.
Strike out indicates matter stricken from the bill by amendment or deleted from the law by amendment.
(A) (1) IN THIS SECTION, “PUBLIC INSTITUTION OF HIGHER EDUCATION” MEANS:

(1) A PUBLIC SENIOR HIGHER EDUCATION INSTITUTION, AS DEFINED IN § 10-101 OF THE EDUCATION ARTICLE; AND

(2) (II) A COMMUNITY COLLEGE.

(2) A PUBLIC INSTITUTION OF HIGHER EDUCATION DOES NOT INCLUDE AN INSTITUTION WITHOUT RESIDENTIAL HOUSING OR A HEALTH CENTER.

(B) (1) ON OR BEFORE AUGUST 1 EACH YEAR, BEGINNING IN 2021, EACH PUBLIC INSTITUTION OF HIGHER EDUCATION SHALL SUBMIT AN OUTBREAK RESPONSE PLAN TO THE DEPARTMENT.

(2) IF THERE IS AN OUTBREAK OF A LIFE-THREATENING CONTAGIOUS DISEASE OR SIMILAR HEALTH EMERGENCY AT A PUBLIC INSTITUTION OF HIGHER EDUCATION, THE PUBLIC INSTITUTION OF HIGHER EDUCATION SHALL IMPLEMENT THE OUTBREAK RESPONSE PLAN REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION.

(C) THE OUTBREAK RESPONSE PLAN REQUIRED UNDER SUBSECTION (B) OF THIS SECTION SHALL BE CUSTOMIZED TO THE PUBLIC INSTITUTION OF HIGHER EDUCATION AND INCLUDE:

(1) A PROTOCOL FOR ISOLATING AND COHORTING INFECTED INDIVIDUALS UNTIL A HEALTH CARE PROVIDER DETERMINES THAT THE ISOLATED INDIVIDUAL IS NO LONGER A THREAT TO THE STUDENTS, FACULTY, AND STAFF OF THE PUBLIC INSTITUTION OF HIGHER EDUCATION;

(2) (1) A PROCESS FOR EXPEDIENTLY NOTIFYING STUDENTS, FAMILIES OF STUDENTS, FACULTY, AND STAFF OF:

(I) THE OUTBREAK OF A LIFE-THREATENING CONTAGIOUS DISEASE OR SIMILAR HEALTH EMERGENCY;

(II) SUBPOPULATIONS THAT ARE AT HIGH RISK OF SEVERE COMPLICATIONS FROM THE LIFE-THREATENING CONTAGIOUS DISEASE OR SIMILAR HEALTH EMERGENCY;

(III) GUIDANCE ON HOW STUDENTS, FAMILIES OF STUDENTS, FACULTY, AND STAFF CAN TAKE REASONABLE PROTECTIVE MEASURES; AND
(IV) Information on the availability of laboratory testing for students, faculty, and staff;

(2) Processes for implementing evidence-based outbreak response measures;

(3) The provision of staff to successfully implement the outbreak response plan during an outbreak of a life-threatening contagious disease or a similar health emergency at the public institution of higher education;

(4) A process for reporting an outbreak of a life-threatening contagious disease or similar health emergency at the public institution of higher education to:

(I) The Department;

(II) Federal and State surveillance networks

(III) Campus health providers;

(IV) Local community health providers; and

(V) Regional hospitals; and

(5) Any other measure required by the Department.

(D) The Department, in consultation with the Maryland Higher Education Commission, shall adopt regulations to carry out this section.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2020.