



DEPARTMENT OF HEALTH

Larry Hogan, Governor · Boyd K. Rutherford, Lt. Governor · Robert R. Neall, Secretary

February 4, 2019

The Honorable Paul G. Pinsky, Chair
Senate Education, Health, and Environmental Affairs Committee
2 West Miller Senate Office Building
Annapolis, MD 21401-1991

RE: Senate Bill 329 – Public Institutions of Higher Education – Outbreak Response Plan – Letter of Support with Amendments

Dear Chair Pinsky and Committee Members:

The Maryland Department of Health (Department) supports Senate Bill 329 (SB 329) with technical amendments. We thank the bill sponsor and the co-sponsors for putting a down payment on protecting our citizens at Maryland's colleges and universities.

Marylanders mourned the death of Olivia Paregol at the University of Maryland, College Park last spring. When she passed away from complications after contracting a contagious disease, Governor Hogan made a promise to our university students: Olivia's death would mark the beginning of a new era of transparency. He promised to work with the universities and the University System of Maryland's Board of Regents to create a new culture among Maryland's institutions of higher education. The Governor's letter to the University's Regents is attached.

SB 329 requires universities to develop a process—involving the students and the university community—to communicate vital information about contagious diseases. It is critical that students, staff, and parents know about health concerns that may impact the campus community. SB 329 delivers on the Governor's request that each higher education institution be open and honest with the student body about disease outbreaks on their campuses. We hope that these efforts will lead to vital health protections for university students and staff and we urge the Committee to support this bill.

The Department respectfully suggests the attached technical amendments, which we submitted on the cross-file of this bill, House Bill 187, and were received favorably by the House sponsor, Delegate Peña-Melnyk. If you would like to discuss this further, please contact Director of Governmental Affairs Webster Ye at (410) 260-3190 or webster.ye@maryland.gov.

Sincerely,

Robert R. Neall
Secretary

MDH Amendments to Senate Bill 329

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 7 down through “regulations;” in line 9.

RATIONALE:

The Department already has the authority to regulate pursuant to its general jurisdictional authority. The reporting of outbreaks to the local health department is required by COMAR 10.06.01.04.

AMENDMENT NO. 2

On page 2 in lines 5, 19, 22, and 31, and on page 3 in line 3, in each instance strike “**life-threatening**”.

RATIONALE:

Universities should be open and honest with their students and staff. It should not take the death of a student for the university to alert families about an illness spreading through campus, whether it is a common cold or meningitis. All contagious diseases can be life-threatening. Common sense should not be overruled by bureaucratic protocol when lives are on the line.

AMENDMENT NO. 3

On page 2, in lines 6, 20, and 22-23, and on page 3 in line 3, in each instance strike “**or similar health emergency**”.

RATIONALE:

Medical clinicians will ultimately be responsible for determining whether a contagious disease is serious enough to warrant the proposed response plan. We suggest maximum clarity for similar reasons as Amendment No. 2.

AMENDMENT NO. 4

On page 2, in line 32, strike “**or a similar health emergency**”.

AMENDMENT NO. 5

On page 3, in line 6, strike beginning with “**Federal**” through “**networks**” and substitute “**The local health department**”

RATIONALE:

The Department, along with local health departments, currently assists in developing and implementing control and prevention measures with facilities that report such outbreaks, including institutions of higher education. A direct connection to the Local Health Department aligns with current and nationally accepted disease protocols. Reporting to the local health department will trigger all further appropriate reporting, including to federal and state partners.

AMENDMENT NO. 6

On page 3, strike in their entirety lines 11 through 13.

RATIONALE:

Please see Amendment No. 1 rationale.