
By: Senator Hollinger

Requested: October 19, 1995

Introduced and read first time: January 10, 1996

Assigned to: Economic and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Institutions of Higher Education - Requirement for Immunizations**

3 FOR the purpose of requiring each senior institution of higher education to require each
4 student to submit certain records of certain immunizations against certain diseases
5 before enrolling the student; providing certain exceptions; requiring the
6 Department of Health and Mental Hygiene, in consultation with the Maryland
7 Higher Education Commission, to adopt certain regulations; defining certain terms;
8 and generally relating to requiring records of certain immunizations before
9 enrolling students in senior institutions of higher education in the State.

10 BY adding to

11 Article - Education
12 Section 11-207
13 Annotated Code of Maryland
14 (1992 Replacement Volume and 1995 Supplement)

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

17 **Article - Education**

18 11-207.

19 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
20 INDICATED.

21 (2) "SENIOR INSTITUTION OF HIGHER EDUCATION" MEANS:

22 (I) A PUBLIC SENIOR HIGHER EDUCATION INSTITUTION; OR

23 (II) A NONPUBLIC INSTITUTION OF HIGHER EDUCATION THAT
24 AWARDS DEGREES AT THE BACCALAUREATE OR GRADUATE LEVEL.

25 (3) "STUDENT" MEANS AN UNDERGRADUATE OR GRADUATE STUDENT
26 WHO IS UNDER THE AGE OF 31 YEARS AND IS ENROLLED FULL-TIME OR PART-TIME
27 IN A PROGRAM OR COURSE OF STUDY LEADING TO AN ACADEMIC DEGREE AT A
28 SENIOR INSTITUTION OF HIGHER EDUCATION.

1 (B) EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, BEFORE
2 PERMITTING A STUDENT TO ENROLL IN THE INSTITUTION, EACH SENIOR
3 INSTITUTION OF HIGHER EDUCATION SHALL REQUIRE THE STUDENT TO SUBMIT TO
4 THE INSTITUTION A VALID IMMUNIZATION RECORD THAT DOCUMENTS THE
5 ADMINISTRATION OF ADEQUATE IMMUNIZATIONS AGAINST DIPHTHERIA, TETANUS,
6 POLIOMYELITIS, MEASLES (RUBEOLA), GERMAN MEASLES (RUBELLA), AND MUMPS
7 IN ACCORDANCE WITH REGULATIONS ADOPTED BY THE DEPARTMENT OF HEALTH
8 AND MENTAL HYGIENE.

9 (C) A STUDENT SHALL BE EXEMPT FROM THE IMMUNIZATION
10 REQUIREMENTS SET FORTH IN SUBSECTION (B) OF THIS SECTION IF:

11 (1) THE STUDENT SUBMITS TO THE INSTITUTION OF HIGHER
12 EDUCATION A WRITTEN STATEMENT THAT IMMUNIZATION CONFLICTS WITH THE
13 STUDENT'S RELIGIOUS BELIEFS UNLESS THE SECRETARY OF THE DEPARTMENT OF
14 HEALTH AND MENTAL HYGIENE HAS DECLARED AN EMERGENCY OR EPIDEMIC OF
15 DISEASE; OR

16 (2) THE STUDENT'S LICENSED PHYSICIAN SUBMITS A STATEMENT THAT
17 STATES THAT THE ADMINISTRATION OF ONE OR MORE OF THE REQUIRED
18 IMMUNIZING AGENTS WOULD BE DETRIMENTAL TO THE STUDENT'S HEALTH.

19 (D) EACH INSTITUTION SHALL KEEP THE RECORDS SUBMITTED UNDER
20 SUBSECTIONS (B) AND (C) OF THIS SECTION IN THE FORM AND MANNER REQUIRED
21 BY THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE.

22 (E) THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE, IN
23 CONSULTATION WITH THE MARYLAND HIGHER EDUCATION COMMISSION, SHALL
24 ADOPT REGULATIONS TO IMPLEMENT THE REQUIREMENTS OF THIS SECTION.

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
26 July 1, 1996.