

(PRE-FILED)

By: Chairman, Economic and Environmental Affairs Committee (Departmental - Health and Mental Hygiene)

Requested: October 25, 1995

Introduced and read first time: January 10, 1996

Assigned to: Economic and Environmental Affairs

Committee Report: Favorable

Senate action: Adopted

Read second time: February 7, 1996

CHAPTER ____

1 AN ACT concerning

2 Control of Communicable Tuberculosis - Treatment of Infected Persons

3 FOR the purpose of providing the Secretary of Health and Mental Hygiene with certain
4 authority provided to a health officer relating to the control of tuberculosis; and
5 generally relating to the control of tuberculosis.

6 BY repealing and reenacting, with amendments,
7 Article - Health - General
8 Section 18-324
9 Annotated Code of Maryland
10 (1994 Replacement Volume and 1995 Supplement)

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

13 **Article - Health - General**

14 18-324.

15 (a) [A] THE SECRETARY OR A health officer may have an individual examined,
16 if THE SECRETARY OR the health officer knows or is notified in writing by a physician
17 that the individual is suspected of having tuberculosis.

18 (b) (1) If, after the examination, THE SECRETARY OR the health officer finds
19 that the individual has tuberculosis and that the condition of the individual endangers, or
20 may endanger, the public health of the community, THE SECRETARY OR the health
21 officer may order the individual to receive appropriate medical care.

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1 (2) If the individual fails to comply with the order, THE SECRETARY OR the
2 health officer may order the individual to be placed in any of the following types of
3 medical quarantine in order to protect the public health:

4 (i) Medical isolation at home;

5 (ii) Domiciliary care, nursing home care, or hospital care; or

6 (iii) Other medically appropriate living arrangement.

7 (3) The order of THE SECRETARY OR the health officer may also contain
8 such other conditions as the Secretary or the health officer believes are necessary to
9 protect either the health of the infected individual or the public health.

10 (c) [A] THE SECRETARY OR A health officer may not require an individual to
11 have a physical examination, other than a chest X ray and to render sputum samples. [A]
12 THE SECRETARY OR A health officer may not restrict the right of the individual to select
13 a treatment method, if the individual:

14 (1) In good faith relies on spiritual means through prayer for healing; and

15 (2) Complies with the laws, rules, and regulations that relate to sanitation
16 for and quarantine of infectious, contagious, and communicable diseases.

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
18 October 1, 1996.