
By: **Delegates Rosso, Busch, Clagett, D'Amato, Frush, Giannetti, Healey,
Hurson, Menes, and Moe**

Introduced and read first time: January 24, 2000

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Institutions of Higher Education - Students - Vaccination for Meningococcal**
3 **Disease**

4 FOR the purpose of requiring certain students enrolled in institutions of higher
5 education to receive a certain vaccination or sign a certain waiver; requiring the
6 Secretary of the Department of Health and Mental Hygiene, in consultation
7 with the Maryland Higher Education Commission, to adopt certain regulations;
8 providing that certain institutions of higher education are not required to
9 provide or pay for vaccinations for meningococcal disease; requiring the
10 Commission to assist in implementing certain requirements; and generally
11 relating to vaccination against infectious and contagious diseases.

12 BY renumbering

13 Article - Education
14 Section 11-105(s) and (t), respectively
15 to be Section 11-105(t) and (u), respectively
16 Annotated Code of Maryland
17 (1999 Replacement Volume)

18 BY adding to

19 Article - Education
20 Section 11-105(s)
21 Annotated Code of Maryland
22 (1999 Replacement Volume)

23 BY repealing and reenacting, with amendments,

24 Article - Health - General
25 Section 18-102
26 Annotated Code of Maryland
27 (1994 Replacement Volume and 1999 Supplement)

1 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
2 MARYLAND, That Section(s) 11-105(s) and (t), respectively, of Article - Education of
3 the Annotated Code of Maryland be renumbered to be Section(s) 11-105(t) and (u),
4 respectively.

5 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland
6 read as follows:

7 **Article - Education**

8 11-105.

9 (S) THE COMMISSION SHALL ASSIST THE DEPARTMENT OF HEALTH AND
10 MENTAL HYGIENE IN IMPLEMENTING THE VACCINATION REQUIREMENTS ADOPTED
11 UNDER § 18-102(B) OF THE HEALTH - GENERAL ARTICLE.

12 **Article - Health - General**

13 18-102.

14 (a) The Secretary shall adopt rules and regulations necessary to prevent:

15 (1) The introduction of an infectious or contagious disease into this
16 State; or

17 (2) The spread of an infectious or contagious disease in this State.

18 (b) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, AN
19 INDIVIDUAL ENROLLED IN AN INSTITUTION OF HIGHER EDUCATION WHO RESIDES
20 IN ON-CAMPUS STUDENT HOUSING SHALL BE VACCINATED AGAINST
21 MENINGOCOCCAL DISEASE.

22 (2) AN INDIVIDUAL IS EXEMPT FROM THE VACCINATION REQUIREMENT
23 IN PARAGRAPH (1) OF THIS SUBSECTION IF:

24 (I) THE INSTITUTION OF HIGHER EDUCATION PROVIDES THE
25 INDIVIDUAL WITH DETAILED INFORMATION ON THE RISKS ASSOCIATED WITH
26 MENINGOCOCCAL DISEASE AND THE AVAILABILITY AND EFFECTIVENESS OF ANY
27 VACCINE; AND

28 (II) THE INDIVIDUAL SIGNS A WRITTEN WAIVER IN A FORM
29 APPROVED BY THE SECRETARY STATING THAT THE INDIVIDUAL HAS RECEIVED AND
30 REVIEWED THE INFORMATION PROVIDED AND HAS CHOSEN NOT TO BE VACCINATED
31 AGAINST MENINGOCOCCAL DISEASE.

32 (3) NOTHING IN THIS SUBSECTION SHALL BE CONSTRUED TO REQUIRE
33 ANY INSTITUTION OF HIGHER EDUCATION TO PROVIDE OR PAY FOR VACCINATIONS
34 AGAINST MENINGOCOCCAL DISEASE.

1 (4) THE SECRETARY, IN CONSULTATION WITH THE MARYLAND HIGHER
2 EDUCATION COMMISSION, SHALL ADOPT REGULATIONS NECESSARY TO IMPLEMENT
3 THIS SUBSECTION.

4 (C) The Secretary may enter on and inspect private property to determine the
5 presence, cause, and source of an infectious or contagious disease.

6 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
7 June 1, 2000.