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By: Delegates Rosso, Busch, Clagett, D'Amato, Frush, Giannetti, Healey, Hurson, Menes, and Moe Moe, Guns, Cadden, Sher, Leopold, Hecht, Love, Klausmeier, Weir, Sophocleus, Rzepkowski, Mohorovic, Boschert, Owings, Nathan-Pulliam, and Bartlett

Introduced and read first time: January 24, 2000 Assigned to: Environmental Matters

Committee Report: Favorable with amendments House action: Adopted Read second time: March 7, 2000

CHAPTER_____

1 AN ACT concerning

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Institutions of Higher Education - Students - Vaccination for Meningococcal 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 parent or guardian of the student to sign the waiver if the student is a minor;
- 7 requiring the Secretary of the Department of Health and Mental Hygiene, in
- 8 consultation with the Maryland Higher Education Commission, to adopt certain
- 9 regulations; providing that certain institutions of higher education are not
- 10 required to provide or pay for vaccinations for meningococcal disease; requiring
- 11 the Commission to assist in implementing certain requirements; and generally
- 12 relating to vaccination against infectious and contagious diseases.

13 BY renumbering

- 14 Article Education
- 15 Section 11-105(s) and (t), respectively
- 16 to be Section 11-105(t) and (u), respectively
- 17 Annotated Code of Maryland
- 18 (1999 Replacement Volume)

19 BY adding to

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

1 (1999 Replacement Volume)

2 BY repealing and reenacting, with amendments,

- 3 Article Health General
- 4 Section 18-102
- 5 Annotated Code of Maryland
- 6 (1994 Replacement Volume and 1999 Supplement)

7 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF

- 8 MARYLAND, That Section(s) 11-105(s) and (t), respectively, of Article Education of 9 the Annotated Code of Maryland be renumbered to be Section(s) 11-105(t) and (u), 10 respectively.
- to respectively.

11 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland 12 read as follows:

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Article - Education

14 11-105.

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

18

Article - Health - General

19 18-102.

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

- 21 (1) The introduction of an infectious or contagious disease into this 22 State; or
- 23 (2) The spread of an infectious or contagious disease in this State.

24 (b) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, AN

25 INDIVIDUAL ENROLLED IN AN INSTITUTION OF HIGHER EDUCATION WHO RESIDES

- 26 IN ON-CAMPUS STUDENT HOUSING SHALL BE VACCINATED AGAINST
- 27 MENINGOCOCCAL DISEASE.

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

30 (I) THE INSTITUTION OF HIGHER EDUCATION PROVIDES THE

31 INDIVIDUAL WITH DETAILED INFORMATION ON THE RISKS ASSOCIATED WITH

- 32 MENINGOCOCCAL DISEASE AND THE AVAILABILITY AND EFFECTIVENESS OF ANY
- 33 VACCINE <u>TO:</u>

2

6	HOUSE BILL 227
1 2	1.THE INDIVIDUAL, IF THE INDIVIDUAL IS 18 YEARS OF AGER OLDER; OR
3 4	2. <u>THE INDIVIDUAL'S PARENT OR GUARDIAN, IF THE</u>
7 8	(II) THE <u>1. THE INDIVIDUAL IS 18 YEARS OF AGE OR OLDER AND</u> HE INDIVIDUAL SIGNS A WRITTEN WAIVER IN A FORM APPROVED BY THE ECRETARY STATING THAT THE INDIVIDUAL HAS RECEIVED AND REVIEWED THE IFORMATION PROVIDED AND HAS CHOSEN NOT TO BE VACCINATED AGAINST ENINGOCOCCAL DISEASE <u>: OR</u>
12 13	2. <u>THE INDIVIDUAL IS A MINOR AND THE INDIVIDUAL'S</u> ARENT OR GUARDIAN SIGNS A WRITTEN WAIVER IN A FORM APPROVED BY THE ECRETARY STATING THAT THE PARENT OR GUARDIAN HAS RECEIVED AND EVIEWED THE INFORMATION PROVIDED AND HAS CHOSEN TO NOT HAVE THE NDIVIDUAL VACCINATED AGAINST MENINGOCOCCAL DISEASE.
	(3) NOTHING IN THIS SUBSECTION SHALL BE CONSTRUED TO REQUIRE NY INSTITUTION OF HIGHER EDUCATION TO PROVIDE OR PAY FOR VACCINATIONS AGAINST MENINGOCOCCAL DISEASE.
	(4) THE SECRETARY, IN CONSULTATION WITH THE MARYLAND HIGHER DUCATION COMMISSION, SHALL ADOPT REGULATIONS NECESSARY TO IMPLEMENT 'HIS SUBSECTION.

21 (C) The Secretary may enter on and inspect private property to determine the 22 presence, cause, and source of an infectious or contagious disease.

23 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect 24 June 1, 2000.