

SENATE BILL 653

Unofficial Copy  
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2000 Regular Session  
(0lr2783)

**ENROLLED BILL**

-- *Economic and Environmental Affairs/Environmental Matters* --

Introduced by **Senator Collins**

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

\_\_\_\_\_  
Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this  
\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_ M.

\_\_\_\_\_  
President.

CHAPTER \_\_\_\_\_

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 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

1 Annotated Code of Maryland  
2 (1999 Replacement Volume)

3 BY adding to  
4 Article - Education  
5 Section 11-105(s)  
6 Annotated Code of Maryland  
7 (1999 Replacement Volume)

8 BY repealing and reenacting, with amendments,  
9 Article - Health - General  
10 Section 18-102  
11 Annotated Code of Maryland  
12 (1994 Replacement Volume and 1999 Supplement)

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

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

19 **Article - Education**

20 11-105.

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

24 **Article - Health - General**

25 18-102.

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

27 (1) The introduction of an infectious or contagious disease into this  
28 State; or

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

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

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

3 (I) THE INSTITUTION OF HIGHER EDUCATION PROVIDES ~~THE~~  
4 ~~INDIVIDUAL WITH~~ DETAILED INFORMATION ON THE RISKS ASSOCIATED WITH  
5 MENINGOCOCCAL DISEASE AND THE AVAILABILITY AND EFFECTIVENESS OF ANY  
6 VACCINE TO:

7 1. THE INDIVIDUAL, IF THE INDIVIDUAL IS 18 YEARS OF AGE  
8 OR OLDER; OR

9 2. THE INDIVIDUAL'S PARENT OR GUARDIAN, IF THE  
10 INDIVIDUAL IS A MINOR; AND

11 (II) 1. ~~THE~~ THE INDIVIDUAL IS 18 YEARS OF AGE OR OLDER AND  
12 THE INDIVIDUAL SIGNS A WRITTEN WAIVER IN A FORM APPROVED BY THE  
13 SECRETARY STATING THAT THE INDIVIDUAL HAS RECEIVED AND REVIEWED THE  
14 INFORMATION PROVIDED AND HAS CHOSEN NOT TO BE VACCINATED AGAINST  
15 MENINGOCOCCAL DISEASE; OR

16 2. THE INDIVIDUAL IS A MINOR AND THE INDIVIDUAL'S  
17 PARENT OR GUARDIAN SIGNS A WRITTEN WAIVER IN A FORM APPROVED BY THE  
18 SECRETARY STATING THAT THE PARENT OR GUARDIAN HAS RECEIVED AND  
19 REVIEWED THE INFORMATION PROVIDED AND HAS CHOSEN TO NOT HAVE THE  
20 INDIVIDUAL VACCINATED AGAINST MENINGOCOCCAL DISEASE.

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

24 (4) THE SECRETARY, IN CONSULTATION WITH THE MARYLAND HIGHER  
25 EDUCATION COMMISSION, SHALL ADOPT REGULATIONS NECESSARY TO IMPLEMENT  
26 THIS SUBSECTION.

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

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