

SENATE BILL 653

Unofficial Copy
J1

2000 Regular Session
0lr2783
CF HB 227

By: **Senator Collins**

Introduced and read first time: February 4, 2000

Assigned to: Economic and Environmental Affairs

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)

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

29 MARYLAND, That Section(s) 11-105(s) and (t), respectively, of Article - Education of

1 the Annotated Code of Maryland be renumbered to be Section(s) 11-105(t) and (u),
2 respectively.

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

5 **Article - Education**

6 11-105.

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

10 **Article - Health - General**

11 18-102.

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

13 (1) The introduction of an infectious or contagious disease into this
14 State; or

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

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

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

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

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

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

33 (4) THE SECRETARY, IN CONSULTATION WITH THE MARYLAND HIGHER
34 EDUCATION COMMISSION, SHALL ADOPT REGULATIONS NECESSARY TO IMPLEMENT
35 THIS SUBSECTION.

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

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