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By: Senator Collins Introduced and read first time: February 4, 2000 Assigned to: Economic and Environmental Affairs Committee Report: Favorable with amendments			
			action: Adopted
		Kead s	econd time: March 13, 2000
	CHAPTER		
1 Al	N ACT concerning		
2 3	Institutions of Higher Education - Students - Vaccination for Meningococcal Disease		
4 FC	OR 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 11	Commission to assist in implementing certain requirements; and generally relating to vaccination against infectious and contagious diseases.		
11	relating to vaccination against infectious and contagious diseases.		
	Y renumbering		
13	Article - Education		
14	Section 11-105(s) and (t), respectively		
15	to be Section 11-105(t) and (u), respectively		
16 17	Annotated Code of Maryland (1999 Replacement Volume)		
1/	(1999 Replacement Volume)		
18 B	Y 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,

1 Article - Health - General 2 Section 18-102
3 Annotated Code of Maryland
4 (1994 Replacement Volume and 1999 Supplement)
5 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF 6 MARYLAND, That Section(s) 11-105(s) and (t), respectively, of Article - Education of 7 the Annotated Code of Maryland be renumbered to be Section(s) 11-105(t) and (u), 8 respectively.
9 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland 10 read as follows:
11 Article - Education
12 11-105.
13 (S) THE COMMISSION SHALL ASSIST THE DEPARTMENT OF HEALTH AND 14 MENTAL HYGIENE IN IMPLEMENTING THE VACCINATION REQUIREMENTS ADOPTED 15 UNDER § 18-102(B) OF THE HEALTH - GENERAL ARTICLE.
16 Article - Health - General
17 18-102.
18 (a) The Secretary shall adopt rules and regulations necessary to prevent:
19 (1) The introduction of an infectious or contagious disease into this 20 State; or
21 (2) The spread of an infectious or contagious disease in this State.
22 (b) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, AN 23 INDIVIDUAL ENROLLED IN AN INSTITUTION OF HIGHER EDUCATION WHO RESIDES 24 IN ON-CAMPUS STUDENT HOUSING SHALL BE VACCINATED AGAINST 25 MENINGOCOCCAL DISEASE.
26 (2) AN INDIVIDUAL IS EXEMPT FROM THE VACCINATION REQUIREMENT 27 IN PARAGRAPH (1) OF THIS SUBSECTION IF:
28 (I) THE INSTITUTION OF HIGHER EDUCATION PROVIDES THE 29 INDIVIDUAL WITH DETAILED INFORMATION ON THE RISKS ASSOCIATED WITH 30 MENINGOCOCCAL DISEASE AND THE AVAILABILITY AND EFFECTIVENESS OF ANY 31 VACCINE TO:
32 <u>1. THE INDIVIDUAL, IF THE INDIVIDUAL IS 18 YEARS OF AGE</u> 33 OR OLDER; OR

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- 1 2. THE INDIVIDUAL'S PARENT OR GUARDIAN, IF THE 2 INDIVIDUAL IS A MINOR; AND
- 3 (II) <u>1.</u> THE THE INDIVIDUAL IS 18 YEARS OF AGE OR OLDER AND
- 4 THE INDIVIDUAL SIGNS A WRITTEN WAIVER IN A FORM APPROVED BY THE
- 5 SECRETARY STATING THAT THE INDIVIDUAL HAS RECEIVED AND REVIEWED THE
- 6 INFORMATION PROVIDED AND HAS CHOSEN NOT TO BE VACCINATED AGAINST
- 7 MENINGOCOCCAL DISEASE; OR
- 8 2. THE INDIVIDUAL IS A MINOR AND THE INDIVIDUAL'S
- 9 PARENT OR GUARDIAN SIGNS A WRITTEN WAIVER IN A FORM APPROVED BY THE
- 10 SECRETARY STATING THAT THE PARENT OR GUARDIAN HAS RECEIVED AND
- 11 REVIEWED THE INFORMATION PROVIDED AND HAS CHOSEN TO NOT HAVE THE
- 12 INDIVIDUAL VACCINATED AGAINST MENINGOCOCCAL DISEASE.
- 13 (3) NOTHING IN THIS SUBSECTION SHALL BE CONSTRUED TO REQUIRE
- 14 ANY INSTITUTION OF HIGHER EDUCATION TO PROVIDE OR PAY FOR VACCINATIONS
- 15 AGAINST MENINGOCOCCAL DISEASE.
- 16 (4) THE SECRETARY, IN CONSULTATION WITH THE MARYLAND HIGHER
- 17 EDUCATION COMMISSION, SHALL ADOPT REGULATIONS NECESSARY TO IMPLEMENT
- 18 THIS SUBSECTION.
- 19 (C) The Secretary may enter on and inspect private property to determine the
- 20 presence, cause, and source of an infectious or contagious disease.
- 21 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
- 22 June 1, 2000.