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2001 Regular Session 1lr0076

By: Chairman, Environmental Matters Committee (Departmental - Health and Mental Hygiene)

Introduced and read first time: February 1, 2001

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 Reporting of Communicable Diseases

- 3 FOR the purpose of adding certain diseases to a list of diseases that are reportable by
- 4 a director of a medical laboratory to a certain health officer within a specified
- 5 period of time; modifying the existing designations of diseases on the list;
- 6 defining invasive disease; providing an exemption for a report of noncholera
- 7 vibriosis under certain circumstances; and generally relating to the reporting of
- 8 certain diseases by medical laboratories.
- 9 BY repealing and reenacting, with amendments,
- 10 Article Health General
- 11 Section 18-205
- 12 Annotated Code of Maryland
- 13 (2000 Replacement Volume)
- 14 (As enacted by Chapter 419 of the Acts of the General Assembly of 2000)
- 15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
- 16 MARYLAND, That the Laws of Maryland read as follows:

17 Article - Health - General

18 18-205.

- 19 (A) IN THIS SECTION, "INVASIVE DISEASE" MEANS A DISEASE IN WHICH AN
- 20 ORGANISM IS DETECTED IN A SPECIMEN TAKEN FROM A NORMALLY STERILE BODY
- 21 SITE.
- 22 [(a) (1)] (B) The director of a medical laboratory shall submit a report to the
- 23 health officer for the county where the laboratory is located within 48 hours after an
- 24 examination of a specimen from a human body shows evidence of any of the following:
- [(i) Gonorrhea.
- 26 (ii) Viral hepatitis type A.

2			HOUSE BILL 420
1		(iii)	Viral hepatitis type B.
2		(iv)	Viral hepatitis type C.
3		(v)	Haemophilus meningitis.
4		(vi)	Meningococcal meningitis.
5		(vii)	Streptococcus meningitis type A.
6		(viii)	Streptococcus meningitis type B.
7		(ix)	Viral meningitis.
8		(x)	Meningococcemia.
9		(xi)	Typhoid or nontyphoid salmonellosis.
10		(xii)	Syphilis.
11		(xiii)	Tuberculosis.
12		(xiv)	Human immunodeficiency virus infection.
13		(xv)	CD 4+ count, if less than 200/MM3.
14		(xvi)	Chlamydia infection.
15		(xvii)	Crypto sporidiosis.
16		(xviii)	E. coli 0157:H7 infection.
17		(xix)	Lyme disease.
18		(xx)	Pertussis.
19		(xxi)	Rocky Mountain spotted fever.
20		(xxii)	Shigellosis.]
21	(1)	AMOE	BIASIS.
22	(2)	ANTHE	RAX.

BACTEREMIA IN NEWBORNS.

CAMPYLOBACTER INFECTION.

BOTULISM.

BRUCELLOSIS.

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(3)

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(5)

(6)

3		HOUSE BILL 420
1	(7)	CD 4+ COUNT, IF LESS THAN 200/MM3.
2	(8)	CHLAMYDIA INFECTION.
3	(9)	CHOLERA.
4	(10)	COCCIDIOIDOMYCOSIS.
5	(11)	CRYPTOSPORIDIOSIS.
6	(12)	CYCLOSPORIASIS.
7	(13)	DENGUE FEVER.
8	(14)	DIPHTHERIA.
9	(15)	EHRLICHIOSIS.
10	(16)	ENCEPHALITIS, INFECTIOUS.
11	(17)	E. COLI 0157:H7 INFECTION.
12	(18)	GIARDIASIS.
13	(19)	GONORRHEA.
14	(20)	HAEMOPHILUS INFLUENZAE, INVASIVE DISEASE.
15	(21)	HANSEN DISEASE (LEPROSY).
16	(22)	HANTAVIRUS INFECTION.
17	(23)	HEPATITIS, VIRAL, TYPES A, B, C, AND OTHER TYPES.
18	(24)	HUMAN IMMUNODEFICIENCY VIRUS INFECTION.
19	(25)	ISOSPORIASIS.
20	(26)	LEGIONELLOSIS.
21	(27)	LEPTOSPIROSIS.
22	(28)	LISTERIOSIS.
23	(29)	LYME DISEASE.
24	(30)	MALARIA.
25	(31)	MEASLES.

(32) MENINGOCOCCAL INVASIVE DISEASE.

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-		HOUSE BILL 120
1	(33)	MENINGITIS, INFECTIOUS.
2	(34)	MICROSPORIDIOSIS.
3	(35)	MUMPS.
4	(36)	PERTUSSIS.
5	(37)	PLAGUE.
6	(38)	POLIOMYELITIS.
7	(39)	PSITTACOSIS.
8	(40)	Q FEVER.
9	(41)	RABIES.
10	(42)	RICIN TOXIN.
11	(43)	ROCKY MOUNTAIN SPOTTED FEVER.
12	(44)	RUBELLA AND CONGENITAL RUBELLA SYNDROME.
13	(45)	SALMONELLOSIS (NONTYPHOID FEVER TYPES).
14	(46)	SHIGA-LIKE TOXIN PRODUCTION.
15	(47)	SHIGELLOSIS.
16	(48)	SMALLPOX AND OTHER ORTHOPOX VIRUSES.
17	(49)	STAPHYLOCOCCAL ENTEROTOXIN.
18	(50)	STREPTOCOCCAL INVASIVE DISEASE, GROUP A.
19	(51)	STREPTOCOCCAL INVASIVE DISEASE, GROUP B.
20	(52)	STREPTOCOCCUS PNEUMONIAE, INVASIVE DISEASE.
21	(53)	SYPHILIS.
22	(54)	TRICHINOSIS.
23	(55)	TUBERCULOSIS.
24	(56)	TULAREMIA.
25	(57)	TYPHOID FEVER.
	(=0)	

(58) VARICELLA (CHICKENPOX), FATAL CASES ONLY.

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1		(59)	VIBRIOSIS, NONCHOLERA.
2		(60)	VIRAL HEMORRHAGIC FEVERS (ALL TYPES).
3		(61)	YELLOW FEVER.
4		(62)	YERSINIOSIS.
			(C) (1) When more than 1 specimen is taken from a patient le, the director of the medical laboratory need not report every in that shows evidence of the same disease in that patient if:
8			(i) At least 1 positive test result is reported; and
9 10	test results.		(ii) The health officer has approved the reporting of less than all
13	DISEASE IS	S FOUNI	THE DIRECTOR OF THE MEDICAL LABORATORY NEED NOT REPORT OLERA, UNDER SUBSECTION (B)(59) OF THIS SECTION IF THE IN A SPECIMEN OBTAINED FROM THE PATIENT'S TEETH, , OR ORAL MUCOSA.
15	[(b)]	(D)	The report shall:
16 17	that the Dep	(1) eartment p	Be either in the form that the Department prescribes or on the form rovides; and
18		(2)	State:
19 20	disease requ	ired to be	(i) The date, type, and result of the test that shows evidence of a reported;
21 22	sex, and resi	idence ad	(ii) 1. Except as provided in item 2 of this item, the name, age, ress of the patient from whom the specimen was taken; and
			2. For reports of human immunodeficiency virus infection or 200/MM3, the unique patient identifying number, age, sex, nice of the patient; and
26			(iii) The name and address of the physician who requested the test.
27 28	[(c)] report under	(E) • § 18-202	This section does not relieve an attending physician of the duty to of this subtitle.
29 30	[(d)] examination	(F) report re	A health officer shall inform the Secretary of each laboratory seived under this section.
33	[(e)] (G) The Secretary, a health officer, or an agent of the Secretary or health officer may discuss a laboratory report with the attending physician, but, if the physician is reasonably available, may communicate with a patient only with the consent of the attending physician.		

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1	[(f)]	(H)	(1)	All laboratory reports required under this section are:	
2			(i)	Confidential;	
3			(ii)	Not open to public inspection; and	
4 5	proceeding of	only purs	(iii) uant to a	Subject to subpoena or discovery in a criminal or civil court order sealing the court record.	
8	6 (2) This subsection does not apply to a disclosure by the Secretary to another governmental agency performing its lawful duties as authorized by an act of the Maryland General Assembly or the United States Congress where the Secretary determines that:				
10 11	the confider	ntiality of	(i) the discl	The agency to whom the information is disclosed will maintain osure; and	
12 13	prevent the	spread of	(ii) an infect	The disclosure is necessary to protect the public health or to tious or contagious disease.	
	[(g)] or an agent records.	(I) of the Se		re compliance with this section, the Secretary, a health officer, health officer may inspect pertinent laboratory	
19	director, Se	cretary, o	r health o	Except as provided in paragraph (2) of this subsection, a ry, the Secretary, a health officer, or an agent of the officer may compile or distribute a reproducible list of nat are in reports required under this section.	
23	reproducibl	e list of a	tor, Secre ny of the	or of a medical laboratory, the Secretary, a health officer, or tary, or health officer may not compile or distribute a names of patients in reports relating to human tion or CD 4+ count, if less than 200/MM3.	
25 26	25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect 26 October 1, 2001.				