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

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Assigned to: Environmental Matters

Committee Report: Favorable

House action: Adopted

Read second time: March 7, 2001

CHAPTER _____

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.

1 [(a) (1)] (B) The director of a medical laboratory shall submit a report to the
2 health officer for the county where the laboratory is located within 48 hours after an
3 examination of a specimen from a human body shows evidence of any of the following:

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

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

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

- 1 (55) TUBERCULOSIS.
- 2 (56) TULAREMIA.
- 3 (57) TYPHOID FEVER.
- 4 (58) VARICELLA (CHICKENPOX), FATAL CASES ONLY.
- 5 (59) VIBRIOSIS, NONCHOLERA.
- 6 (60) VIRAL HEMORRHAGIC FEVERS (ALL TYPES).
- 7 (61) YELLOW FEVER.
- 8 (62) YERSINIOSIS.

9 [(2)] (C) (1) When more than 1 specimen is taken from a patient
10 during 1 disease episode, the director of the medical laboratory need not report every
11 test result of a specimen that shows evidence of the same disease in that patient if:

- 12 (i) At least 1 positive test result is reported; and
- 13 (ii) The health officer has approved the reporting of less than all
14 test results.

15 (2) THE DIRECTOR OF THE MEDICAL LABORATORY NEED NOT REPORT
16 VIBRIOSIS, NONCHOLERA, UNDER SUBSECTION (B)(59) OF THIS SECTION IF THE
17 DISEASE IS FOUND IN A SPECIMEN OBTAINED FROM THE PATIENT'S TEETH,
18 GINGIVAL TISSUES, OR ORAL MUCOSA.

19 [(b)] (D) The report shall:

20 (1) Be either in the form that the Department prescribes or on the form
21 that the Department provides; and

22 (2) State:

23 (i) The date, type, and result of the test that shows evidence of a
24 disease required to be reported;

25 (ii) 1. Except as provided in item 2 of this item, the name, age,
26 sex, and residence address of the patient from whom the specimen was taken; and

27 2. For reports of human immunodeficiency virus infection
28 and CD 4+ count under 200/MM3, the unique patient identifying number, age, sex,
29 and zip code of residence of the patient; and

30 (iii) The name and address of the physician who requested the test.

31 [(c)] (E) This section does not relieve an attending physician of the duty to
32 report under § 18-201 of this subtitle.

1 [(d)] (F) A health officer shall inform the Secretary of each laboratory
2 examination report received under this section.

3 [(e)] (G) The Secretary, a health officer, or an agent of the Secretary or health
4 officer may discuss a laboratory report with the attending physician, but, if the
5 physician is reasonably available, may communicate with a patient only with the
6 consent of the attending physician.

7 [(f)] (H) (1) All laboratory reports required under this section are:

8 (i) Confidential;

9 (ii) Not open to public inspection; and

10 (iii) Subject to subpoena or discovery in a criminal or civil
11 proceeding only pursuant to a court order sealing the court record.

12 (2) This subsection does not apply to a disclosure by the Secretary to
13 another governmental agency performing its lawful duties as authorized by an act of
14 the Maryland General Assembly or the United States Congress where the Secretary
15 determines that:

16 (i) The agency to whom the information is disclosed will maintain
17 the confidentiality of the disclosure; and

18 (ii) The disclosure is necessary to protect the public health or to
19 prevent the spread of an infectious or contagious disease.

20 [(g)] (I) To assure compliance with this section, the Secretary, a health officer,
21 or an agent of the Secretary or health officer may inspect pertinent laboratory
22 records.

23 [(h)] (J) (1) Except as provided in paragraph (2) of this subsection, a
24 director of a medical laboratory, the Secretary, a health officer, or an agent of the
25 director, Secretary, or health officer may compile or distribute a reproducible list of
26 any of the names of patients that are in reports required under this section.

27 (2) A director of a medical laboratory, the Secretary, a health officer, or
28 an agent of the director, Secretary, or health officer may not compile or distribute a
29 reproducible list of any of the names of patients in reports relating to human
30 immunodeficiency virus infection or CD 4+ count, if less than 200/MM3.

31 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
32 October 1, 2001.