

BY: Senator Ferguson

AMENDMENT TO SENATE BILL NO. 234, AS AMENDED

(First Reading File Bill)

On page 1 of the Education, Health, and Environmental Affairs Committee Amendments (SB0234/154831/1), in line 2 of Amendment No. 1, after “order;” insert “providing certain exceptions to certain authority to require certain individuals to undergo vaccination or medical treatment;”.

On page 2 of the Education, Health, and Environmental Affairs Committee Amendments, in line 4 of Amendment No. 5, after “SECTION” insert “, OR IF A MINOR REFUSES VACCINATION OR MEDICAL TREATMENT UNDER SUBSECTION (D) OF THIS SECTION”; in line 5, after “INDIVIDUAL” insert “OR MINOR”; in line 6, after “INDIVIDUAL” insert “OR MINOR”; and after line 7, insert:

“(D) NOTWITHSTANDING SUBSECTION (B)(4)(II) OF THIS SECTION, A MINOR MAY REFUSE VACCINATION OR MEDICAL TREATMENT IF THE VACCINATION OR MEDICAL TREATMENT CONFLICTS WITH THE MINOR’S BONA FIDE RELIGIOUS BELIEFS AND:

(1) THE MINOR HAS THE CAPACITY TO CONSENT TO MEDICAL TREATMENT UNDER § 20-102 OF THE HEALTH - GENERAL ARTICLE; OR

(2) THE MINOR’S PARENT OR GUARDIAN APPROVES OF THE MINOR’S REFUSAL OF THE VACCINATION OR MEDICAL TREATMENT.”.

On page 3 of the Education, Health, and Environmental Affairs Committee Amendments, in line 1 of Amendment No. 5, strike “(D)” and substitute “(E)”.

On page 7 of the Education, Health, and Environmental Affairs Committee Amendments, in line 4 of Amendment No. 5, strike “(F)” and substitute “(G)”.

(Over)

On page 7 of the Education, Health, and Environmental Affairs Committee Amendments, in lines 2 and 9 of Amendment No. 6, strike “(E)” and “(G)”, respectively, and substitute “(F)” and “(H)”, respectively.

On page 8 of the bill, in line 6, after “(A)” insert “(1)”; in lines 12 and 15, strike “(2)” and “(3)”, respectively, and substitute “(II)” and “(III)”, respectively; and after line 17, insert:

“(2) (I) THE SECRETARY MAY NOT REQUIRE A MINOR TO RECEIVE VACCINATION OR MEDICAL TREATMENT UNDER PARAGRAPH (1) OF THIS SUBSECTION IF THE VACCINATION OR MEDICAL TREATMENT CONFLICTS WITH THE MINOR’S BONA FIDE RELIGIOUS BELIEFS AND:

1. THE MINOR HAS THE CAPACITY TO CONSENT TO MEDICAL TREATMENT UNDER § 20-102 OF THE HEALTH - GENERAL ARTICLE; OR

2. THE MINOR’S PARENT OR GUARDIAN APPROVES OF THE MINOR’S REFUSAL OF THE VACCINATION OR MEDICAL TREATMENT.

(II) IF A MINOR REFUSES VACCINATION OR MEDICAL TREATMENT UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE SECRETARY MAY REQUIRE THE MINOR TO GO TO AND REMAIN IN A PLACE OF ISOLATION OR QUARANTINE UNTIL THE SECRETARY DETERMINES THAT THE MINOR NO LONGER POSES A SUBSTANTIAL RISK OF TRANSMITTING THE DISEASE OR CONDITION TO THE PUBLIC.”.

On page 10 of the Education, Health, and Environmental Affairs Committee Amendments, in line 2 of Amendment No. 10, strike “(1) (I)” and substitute “(I) 1.”; and in lines 5 and 13, strike “(II)” and “(III)”, respectively, and substitute “2.” and “3.”, respectively.