
By: **Delegates Frush, Owings, Klausmeier, Nathan-Pulliam, Rosso,
Giannetti, Moe, Healey, Love, Menes, D. Davis, Griffith, Pitkin, and
Schisler**

Introduced and read first time: January 30, 2002
Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Health - Infectious and Contagious Diseases - Hepatitis B Virus**

3 FOR the purpose of requiring a certain individual to be vaccinated against hepatitis B
4 virus; exempting a certain individual from the hepatitis B virus vaccination
5 requirement; and generally relating to the regulation of infectious or contagious
6 diseases such as hepatitis B virus.

7 BY repealing and reenacting, with amendments,
8 Article - Health - General
9 Section 18-102
10 Annotated Code of Maryland
11 (2000 Replacement Volume and 2001 Supplement)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
13 MARYLAND, That the Laws of Maryland read as follows:

14 **Article - Health - General**

15 18-102.

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

17 (1) The introduction of an infectious or contagious disease into this
18 State; or

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

20 (b) (1) Except as provided in paragraph (2) of this subsection, an individual
21 enrolled in an institution of higher education who resides in on-campus student
22 housing shall be vaccinated against BOTH meningococcal disease AND HEPATITIS B
23 VIRUS.

24 (2) An individual is exempt from the vaccination [requirement]
25 REQUIREMENTS in paragraph (1) of this subsection if:

1 (i) The institution of higher education provides detailed
2 information on the risks associated with [meningococcal] THE disease OR VIRUS and
3 the availability and effectiveness of any vaccine to:

4 1. The individual, if the individual is 18 years of age or older;
5 or

6 2. The individual's parent or guardian, if the individual is a
7 minor; and

8 (ii) 1. The individual is 18 years of age or older and the
9 individual signs a written waiver in a form approved by the Secretary stating that the
10 individual has received and reviewed the information provided and has chosen not to
11 be vaccinated against meningococcal disease OR HEPATITIS B VIRUS OR BOTH; or

12 2. The individual is a minor and the individual's parent or
13 guardian signs a written waiver in a form approved by the Secretary stating that the
14 parent or guardian has received and reviewed the information provided and has
15 chosen to not have the individual vaccinated against meningococcal disease OR
16 HEPATITIS B VIRUS OR BOTH.

17 (3) Nothing in this subsection shall be construed to require any
18 institution of higher education to provide or pay for vaccinations against
19 meningococcal disease OR HEPATITIS B VIRUS.

20 (4) The Secretary, in consultation with the Maryland Higher Education
21 Commission, shall adopt regulations necessary to implement this subsection.

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

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
25 October 1, 2002.