

SENATE BILL 234  
EMERGENCY BILL

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P3

2002 Regular Session  
2lr0168  
CF 2lr0171

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By: **The President (Administration) and Senators Bromwell, Collins,  
Conway, Exum, Forehand, Green, Hollinger, Hughes, Kelley, Lawlah,  
Teitelbaum, and Van Hollen**

Introduced and read first time: January 18, 2002  
Assigned to: Education, Health, and Environmental Affairs

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Committee Report: Favorable with amendments  
Senate action: Adopted  
Read second time: March 20, 2002

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CHAPTER \_\_\_\_\_

1 AN ACT concerning

2                                   **Catastrophic Health Emergencies - Powers of the Governor and the**  
3                                   **Secretary of Health and Mental Hygiene**

4 FOR the purpose of authorizing the Governor to ~~proclaim~~ issue an order proclaiming  
5 the existence of a catastrophic health emergency; specifying the powers of the  
6 Governor during a catastrophic health emergency; specifying when a  
7 proclamation of a catastrophic health emergency will expire; specifying the  
8 contents of an order; requiring the Secretary of Health and Mental Hygiene to  
9 issue a certain directive in a certain manner; providing for the contents of the  
10 directive; providing for a hearing to contest the directive; authorizing certain  
11 individuals to request a hearing in circuit court under certain circumstances;  
12 requiring the circuit court to follow certain procedures under certain  
13 circumstances; requiring the Court of Appeals to develop certain emergency  
14 rules of procedure; providing for civil and criminal immunity for health care  
15 providers under certain circumstances; requiring the State to include health  
16 care providers in any application for financial aid under certain circumstances;  
17 ~~authorizing the Secretary of Health and Mental Hygiene to exercise certain~~  
18 ~~duties under certain circumstances in order to maintain an effective disease~~  
19 ~~surveillance system; authorizing the Secretary to require certain health care~~  
20 ~~facilities to develop and implement certain contingency plans; requiring the~~  
21 ~~Secretary to develop certain protocols; authorizing the Secretary to require~~  
22 ~~certain health care practitioners to implement certain plans; requiring the~~  
23 ~~Secretary to develop a process to license, certify, and credential health care~~  
24 ~~practitioners under certain circumstances; prohibiting certain persons from~~  
25 ~~disclosing certain information; authorizing the Secretary to perform certain~~  
26 ~~duties when investigating actual or potential exposures to certain deadly~~

1 agents; specifying certain penalties under certain circumstances; ~~requiring the~~  
 2 ~~Maryland Emergency Management Agency to coordinate efforts with the~~  
 3 ~~Maryland Institute for Emergency Medical Services Systems and the~~  
 4 ~~Department of Health and Mental Hygiene~~; requiring a certain report by a  
 5 certain date; requiring the Secretary to work collaboratively with the Maryland  
 6 Emergency Management Agency, the Maryland Institute for Emergency Medical  
 7 Services Systems, certain health care providers, and other interested parties on  
 8 the implementation of this Act; making provisions of this Act severable;  
 9 requiring the Secretary to adopt certain regulations; making this Act an  
 10 emergency measure; defining certain terms; and generally relating to  
 11 catastrophic health emergencies.

12 BY adding to

13 Article 41 - Governor - Executive and Administrative Departments  
 14 Section 2-201 through 2-204, inclusive, to be under the new subtitle "Subtitle 2.  
 15 Governor's Emergency Powers - Catastrophic Health Emergencies"  
 16 Annotated Code of Maryland  
 17 (1997 Replacement Volume and 2001 Supplement)

18 BY adding to

19 Article - Health - General  
 20 Section 18-901 through ~~18-907~~ 18-908, inclusive, to be under the new subtitle  
 21 "Subtitle 9. Catastrophic Health Emergency Disease Surveillance and  
 22 Response Program"  
 23 Annotated Code of Maryland  
 24 (2000 Replacement Volume and 2001 Supplement)

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

27 **Article 41 - Governor - Executive and Administrative Departments**

28 **SUBTITLE 2. GOVERNOR'S EMERGENCY POWERS - CATASTROPHIC HEALTH**  
 29 **EMERGENCIES.**

30 2-201.

31 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS  
 32 INDICATED.

33 (B) (1) "CATASTROPHIC HEALTH EMERGENCY" MEANS AN IMMINENT  
 34 THREAT OF EXTENSIVE LOSS OF LIFE OR OF SERIOUS DISABILITY CAUSED BY  
 35 EXPOSURE TO A DEADLY AGENT.

36 (2) "DEADLY AGENT" MEANS:

1 (I) ANTHRAX, EBOLA, PLAGUE, SMALLPOX, TULAREMIA, OR OTHER  
 2 BACTERIAL, FUNGAL, RICKETTSIAL, OR VIRAL AGENT, BIOLOGICAL TOXIN, OR OTHER  
 3 AGENT CAPABLE OF CAUSING EXTENSIVE LOSS OF LIFE OR SERIOUS DISABILITY;

4 (II) MUSTARD GAS, NERVE GAS, OR OTHER CHEMICAL AGENT  
 5 CAPABLE OF CAUSING EXTENSIVE LOSS OF LIFE OR SERIOUS DISABILITY; OR

6 (III) RADIATION AT LEVELS CAPABLE OF CAUSING EXTENSIVE LOSS  
 7 OF LIFE OR SERIOUS DISABILITY.

8 (3) "EXPOSURE TO A DEADLY AGENT" MEANS A THREAT TO HUMAN  
 9 HEALTH CAUSED BY:

10 (I) ~~THE RELEASE OR DISTRIBUTION~~ RELEASE, DISTRIBUTION, OR  
 11 TRANSMISSION OF A DEADLY AGENT IN MARYLAND; OR

12 (II) ~~THE RELEASE OR DISTRIBUTION~~ RELEASE, DISTRIBUTION, OR  
 13 TRANSMISSION OF A DEADLY AGENT IN ANOTHER JURISDICTION THAT POSES AN  
 14 IMMEDIATE THREAT TO MARYLAND CITIZENS THROUGH THE MOVEMENT OF  
 15 EXPOSED INDIVIDUALS, ~~WIND CURRENTS~~, OR OTHER CAUSE INTO THE STATE.

16 (4) "HEALTH CARE FACILITY" HAS THE MEANING STATED IN §  
 17 19-114(E)(1) OF THE HEALTH - GENERAL ARTICLE.

18 (5) (I) "HEALTH CARE PRACTITIONER" HAS THE MEANING STATED IN §  
 19 19-114(F) OF THE HEALTH - GENERAL ARTICLE.

20 (II) "HEALTH CARE PRACTITIONER" INCLUDES AN INDIVIDUAL  
 21 LICENSED OR CERTIFIED AS AN EMERGENCY MEDICAL SERVICES PROVIDER UNDER  
 22 § 13-516 OF THE EDUCATION ARTICLE.

23 (6) "HEALTH CARE PROVIDER" MEANS:

24 (I) A HEALTH CARE FACILITY; OR

25 (II) A HEALTH CARE PRACTITIONER.

26 (7) "SECRETARY" MEANS THE SECRETARY OF HEALTH AND MENTAL  
 27 HYGIENE.

28 2-202.

29 (A) IF THE GOVERNOR DETERMINES THAT EXPOSURE TO A DEADLY AGENT  
 30 PRESENTS AN IMMEDIATE THREAT OF EXTENSIVE LOSS OF LIFE OR OF SERIOUS  
 31 DISABILITY, THE GOVERNOR MAY ISSUE AN EXECUTIVE ORDER PROCLAIMING  
 32 ~~PROCLAIM~~ THE EXISTENCE OF A CATASTROPHIC HEALTH EMERGENCY.

33 (B) FOLLOWING A PROCLAMATION UNDER SUBSECTION (A) OF THIS SECTION,  
 34 THE GOVERNOR MAY ORDER:

35 (1) ~~THE SECRETARY OR OTHER DESIGNATED OFFICIAL TO:~~

1                   (4)     ~~USE APPROPRIATE MEANS TO REDUCE MORBIDITY AND~~  
2 ~~MORTALITY CAUSED BY A CATASTROPHIC HEALTH EMERGENCY; AND~~

3                   (II)    ~~ENSURE TO THE GREATEST EXTENT FEASIBLE THAT ALL~~  
4 ~~PERSONS EXPOSED TO A DEADLY AGENT ARE SUBJECT TO APPROPRIATE~~  
5 ~~TREATMENT AND CONTROL.~~

6                   (2)     THE SECRETARY OR OTHER DESIGNATED OFFICIAL TO TAKE  
7 IMMEDIATE POSSESSION OF ANY ITEM OR MATERIAL NEEDED TO RESPOND TO THE  
8 MEDICAL CONSEQUENCES OF THE CATASTROPHIC HEALTH EMERGENCY AND TO  
9 WORK COLLABORATIVELY, TO THE EXTENT FEASIBLE, WITH HEALTH CARE  
10 PROVIDERS TO DESIGNATE AND GAIN ACCESS TO A FACILITY NEEDED TO RESPOND  
11 TO THE CATASTROPHIC HEALTH EMERGENCY;

12                  (3)     (2)     ANY HEALTH CARE PROVIDER WHO DOES NOT VOLUNTARILY  
13 PARTICIPATE, TO PARTICIPATE IN DISEASE SURVEILLANCE, TREATMENT, AND  
14 SUPPRESSION EFFORTS OR OTHERWISE ACT IN ACCORDANCE WITH THE DIRECTIVES  
15 OF THE SECRETARY OR OTHER DESIGNATED OFFICIAL;

16                  (4)     (3)     THE SECRETARY OR OTHER DESIGNATED OFFICIAL TO  
17 CONTROL, RESTRICT, OR REGULATE THE USE, SALE, DISPENSING, DISTRIBUTION OR  
18 TRANSPORTATION OF ANY ITEM OR MATERIAL NEEDED TO RESPOND TO THE  
19 MEDICAL CONSEQUENCES OF THE CATASTROPHIC HEALTH EMERGENCY BY:

20                   (I)     RATIONING;

21                   (II)    THE CREATION AND DISTRIBUTION OF STOCKPILES;

22                   (III)   THE USE OF QUOTAS;

23                   (IV)   THE PROHIBITION OF SHIPMENTS;

24                   (V)     THE SETTING OF PRICES; OR

25                   (VI)   OTHER APPROPRIATE MEANS;

26                  (5)     (4)     WHEN MEDICALLY NECESSARY AND REASONABLE TO TREAT,  
27 PREVENT, OR REDUCE THE SPREAD OF THE DISEASE OR OUTBREAK BELIEVED TO  
28 HAVE BEEN CAUSED BY THE EXPOSURE TO A DEADLY AGENT, THE SECRETARY OR  
29 OTHER DESIGNATED OFFICIAL TO:

30                   (I)     REQUIRE INDIVIDUALS TO SUBMIT TO MEDICAL EXAMINATION  
31 OR TESTING;

32                   (II)    UNLESS THE VACCINATION OR MEDICAL TREATMENT WILL  
33 LIKELY CAUSE SERIOUS HARM TO THE INDIVIDUAL ~~OR CONFLICTS WITH THE~~  
34 ~~INDIVIDUAL'S BONA FIDE RELIGIOUS BELIEFS AND PRACTICES,~~ REQUIRE THE  
35 INDIVIDUAL TO SUBMIT TO VACCINATION OR MEDICAL TREATMENT;

1 (III) ESTABLISH PLACES OF TREATMENT, ISOLATION, AND  
2 QUARANTINE; AND

3 (IV) REQUIRE INDIVIDUALS TO GO TO AND REMAIN IN PLACES OF  
4 ISOLATION AND QUARANTINE; UNTIL THE SECRETARY OR OTHER DESIGNATED  
5 OFFICIAL DETERMINES THAT THE INDIVIDUALS NO LONGER POSE A SUBSTANTIAL  
6 RISK OF TRANSMITTING THE DISEASE OR CONDITION TO THE PUBLIC;

7 ~~(6)~~ (5) THE EVACUATION, CLOSING, OR DECONTAMINATION OF ANY  
8 FACILITY;

9 ~~(7)~~ (6) INDIVIDUALS TO REMAIN INDOORS OR REFRAIN FROM  
10 CONGREGATING UNTIL FURTHER ~~ORDER~~ ORDERED IF NECESSARY AND  
11 REASONABLE IN ORDER TO SAVE LIVES OR PREVENT EXPOSURE TO A DEADLY  
12 AGENT; AND

13 ~~(8)~~ (7) SUCH OTHER ACTIONS AS ARE DEEMED NECESSARY TO  
14 ~~REDUCE MORBIDITY AND MORTALITY CAUSED BY~~ RESPOND TO THE CATASTROPHIC  
15 HEALTH EMERGENCY.

16 (C) IF A COMPETENT INDIVIDUAL OVER THE AGE OF 18 REFUSES  
17 VACCINATION, MEDICAL EXAMINATION, TREATMENT, OR TESTING UNDER  
18 SUBSECTION (B)(4) OF THIS SECTION, THE SECRETARY MAY REQUIRE THE  
19 INDIVIDUAL TO GO TO AND REMAIN IN A PLACE OF ISOLATION OR QUARANTINE  
20 UNTIL THE SECRETARY DETERMINES THAT THE INDIVIDUAL NO LONGER POSES A  
21 SUBSTANTIAL RISK OF TRANSMITTING THE DISEASE OR CONDITION TO THE PUBLIC.

22 (D) (1) (I) IF THE SECRETARY OR OTHER DESIGNATED OFFICIAL  
23 REQUIRES AN INDIVIDUAL OR A GROUP OF INDIVIDUALS TO GO TO AND REMAIN IN  
24 PLACES OF ISOLATION OR QUARANTINE UNDER SUBSECTION (B)(4) OF THIS SECTION,  
25 THE SECRETARY SHALL ISSUE A DIRECTIVE TO THE INDIVIDUAL OR GROUP OF  
26 INDIVIDUALS.

27 (II) THE DIRECTIVE SHALL SPECIFY:

28 1. THE IDENTITY OF THE INDIVIDUAL OR GROUP OF  
29 INDIVIDUALS SUBJECT TO ISOLATION OR QUARANTINE;

30 2. THE PREMISES SUBJECT TO ISOLATION OR QUARANTINE;

31 3. THE DATE AND TIME AT WHICH ISOLATION OR  
32 QUARANTINE COMMENCES;

33 4. THE SUSPECTED DEADLY AGENT CAUSING THE  
34 OUTBREAK OR DISEASE, IF KNOWN;

35 5. THE BASIS UPON WHICH ISOLATION OR QUARANTINE IS  
36 JUSTIFIED; AND



1 DEGREE OF CONTAGION, AND TO THE EXTENT POSSIBLE, THE DEGREE OF PUBLIC  
2 EXPOSURE TO THE DISEASE.

3 (II) 1. AN ORDER AUTHORIZING THE ISOLATION OR  
4 QUARANTINE ISSUED UNDER THIS PARAGRAPH SHALL:

5 A. IDENTIFY THE ISOLATED OR QUARANTINED INDIVIDUAL  
6 OR GROUP OF INDIVIDUALS BY NAME OR SHARED CHARACTERISTICS;

7 B. SPECIFY FACTUAL FINDINGS WARRANTING ISOLATION OR  
8 QUARANTINE; AND

9 C. EXCEPT AS PROVIDED IN SUB-SUBPARAGRAPH 2 OF THIS  
10 SUBPARAGRAPH, BE IN WRITING AND GIVEN TO THE INDIVIDUAL OR GROUP OF  
11 INDIVIDUALS.

12 2. IF THE COURT DETERMINES THAT THE NOTICE REQUIRED  
13 IN SUB-SUBPARAGRAPH 1C OF THIS SUBPARAGRAPH IS IMPRACTICAL BECAUSE OF  
14 THE NUMBER OF INDIVIDUALS OR GEOGRAPHICAL AREA AFFECTED, THE COURT  
15 SHALL ENSURE THAT THE AFFECTED INDIVIDUALS ARE FULLY INFORMED OF THE  
16 ORDER USING THE BEST POSSIBLE MEANS AVAILABLE.

17 (III) AN ORDER AUTHORIZING ISOLATION OR QUARANTINE IS  
18 EFFECTIVE FOR A PERIOD NOT TO EXCEED 30 DAYS.

19 (IV) 1. PRIOR TO THE EXPIRATION OF AN ORDER, THE  
20 SECRETARY OR DESIGNATED OFFICIAL MAY MOVE TO CONTINUE ISOLATION OR  
21 QUARANTINE FOR SUBSEQUENT 30-DAY PERIODS.

22 2. THE COURT SHALL BASE ITS DECISION ON THE  
23 STANDARDS PROVIDED UNDER THIS PARAGRAPH.

24 (6) IN THE EVENT THAT AN INDIVIDUAL CANNOT PERSONALLY APPEAR  
25 BEFORE THE COURT, PROCEEDINGS MAY BE CONDUCTED:

26 (I) BY AN INDIVIDUAL'S AUTHORIZED REPRESENTATIVE; AND

27 (II) THROUGH ANY MEANS THAT ALLOWS OTHER INDIVIDUALS TO  
28 FULLY PARTICIPATE.

29 (7) SUBJECT TO ANY EMERGENCY RULES DEVELOPED BY THE COURT OF  
30 APPEALS UNDER PARAGRAPH (9) OF THIS SUBSECTION, IN ANY PROCEEDINGS  
31 BROUGHT UNDER THIS SUBSECTION, THE COURT MAY ORDER THE CONSOLIDATION  
32 OF INDIVIDUAL CLAIMS INTO GROUP CLAIMS WHERE:

33 (I) THE NUMBER OF INDIVIDUALS INVOLVED OR AFFECTED IS SO  
34 LARGE AS TO RENDER INDIVIDUAL PARTICIPATION IMPRACTICAL;

35 (II) THERE ARE QUESTIONS OF LAW OR FACT COMMON TO THE  
36 INDIVIDUAL CLAIMS OR RIGHTS TO BE DETERMINED;

1                   (III)    THE GROUP CLAIMS OR RIGHTS TO BE DETERMINED ARE  
2 TYPICAL OF THE AFFECTED INDIVIDUAL'S CLAIMS OR RIGHTS; OR

3                   (IV)    THE ENTIRE GROUP WILL BE ADEQUATELY REPRESENTED IN  
4 THE CONSOLIDATION.

5                   (8)     THE COURT SHALL APPOINT COUNSEL TO REPRESENT INDIVIDUALS  
6 OR A GROUP OF INDIVIDUALS WHO ARE NOT OTHERWISE REPRESENTED BY  
7 COUNSEL.

8                   (9)     THE COURT OF APPEALS SHALL DEVELOP EMERGENCY RULES OF  
9 PROCEDURE TO FACILITATE THE EFFICIENT ADJUDICATION OF ANY PROCEEDINGS  
10 BROUGHT UNDER THIS SUBSECTION.

11    (E)     A PROCLAMATION ISSUED UNDER THIS SECTION SHALL INDICATE:

12               (1)     THE NATURE OF THE CATASTROPHIC HEALTH EMERGENCY;

13               (2)     THE AREA OR AREAS THREATENED OR AFFECTED; AND

14               (3)     THE CONDITIONS THAT HAVE BROUGHT THE CATASTROPHIC  
15 HEALTH EMERGENCY ABOUT OR THAT MAKE POSSIBLE THE TERMINATION OF THE  
16 EMERGENCY.

17    (⊖)    (F)     A PROCLAMATION BY THE GOVERNOR UNDER THIS SECTION:

18               (1)     SHALL BE RESCINDED BY THE GOVERNOR WHENEVER THE  
19 GOVERNOR DETERMINES THAT A THE CATASTROPHIC HEALTH EMERGENCY NO  
20 LONGER EXISTS;

21               (2)     UNLESS RENEWED, SHALL EXPIRE 30 DAYS AFTER ISSUANCE; AND

22               (3)     MAY BE RENEWED BY THE GOVERNOR FOR SUCCESSIVE PERIODS,  
23 EACH NOT TO EXCEED 30 DAYS, IF THE GOVERNOR DETERMINES THAT A  
24 CATASTROPHIC HEALTH EMERGENCY CONTINUES TO EXIST.

25    (G)     A HEALTH CARE PROVIDER ACTING IN GOOD FAITH AND IN ACCORDANCE  
26 WITH A CATASTROPHIC HEALTH EMERGENCY PROCLAMATION IS IMMUNE FROM  
27 CIVIL OR CRIMINAL LIABILITY RELATED TO THOSE ACTIONS, UNLESS THE HEALTH  
28 CARE PROVIDER ACTS WITH WILLFUL MISCONDUCT.

29 2-203.

30    THE AUTHORITY GRANTED UNDER THIS SUBTITLE IS IN ADDITION TO, AND NOT  
31 IN DEROGATION OF, ANY OTHER AUTHORITY THAT THE GOVERNOR, THE SECRETARY,  
32 OR ANY OTHER PUBLIC OFFICIAL MAY EXERCISE UNDER OTHER LAW.

1 2-204.

2 (A) A PERSON MAY NOT KNOWINGLY AND WILLFULLY FAIL TO COMPLY WITH  
3 ANY ORDER, REQUIREMENT, OR DIRECTIVE ISSUED IN ACCORDANCE WITH THIS  
4 SUBTITLE.

5 (B) A PERSON WHO VIOLATES SUBSECTION (A) OF THIS SECTION IS GUILTY OF  
6 A ~~FELONY MISDEMEANOR~~ AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT  
7 EXCEEDING ~~3 YEARS, 1 YEAR~~ OR A FINE NOT EXCEEDING ~~\$10,000, \$5,000~~ OR BOTH.

8 **Article - Health - General**

9 SUBTITLE 9. CATASTROPHIC HEALTH EMERGENCY DISEASE SURVEILLANCE AND  
10 RESPONSE PROGRAM.

11 18-901.

12 (A) IN THIS ~~SECTION~~ SUBTITLE THE FOLLOWING WORDS HAVE THE  
13 MEANINGS INDICATED.

14 (B) "CATASTROPHIC HEALTH EMERGENCY" HAS THE MEANING STATED IN  
15 ARTICLE 41, § 2-104 OF THE CODE.

16 (C) "DEADLY AGENT" HAS THE MEANING STATED IN ARTICLE 41, § 2-104 OF  
17 THE CODE.

18 (D) "EXPOSURE TO A DEADLY AGENT" HAS THE MEANING STATED IN ARTICLE  
19 41, § 2-104 OF THE CODE.

20 (E) "HEALTH CARE FACILITY" HAS THE MEANING STATED IN ~~ARTICLE 41, §~~  
21 ~~2-104 OF THE CODE~~ § 19-114(E)(1) OF THIS ARTICLE.

22 (F) (1) "HEALTH CARE PRACTITIONER" HAS THE MEANING STATED IN  
23 ~~ARTICLE 41, § 2-104 OF THE CODE~~ § 19-114(F) OF THIS ARTICLE.

24 (2) "HEALTH CARE PRACTITIONER" INCLUDES AN INDIVIDUAL  
25 LICENSED OR CERTIFIED AS AN EMERGENCY MEDICAL SERVICES PROVIDER UNDER  
26 § 13-516 OF THE EDUCATION ARTICLE.

27 (G) "HEALTH CARE PROVIDER" ~~HAS THE MEANING STATED IN ARTICLE 41, §~~  
28 ~~2-104 OF THE CODE~~ MEANS:

29 (1) A HEALTH CARE FACILITY; OR

30 (2) A HEALTH CARE PRACTITIONER.

31 18-902.

32 NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE SECRETARY MAY  
33 EXERCISE THE AUTHORITY GRANTED IN THIS SUBTITLE TO:

1 (1) CONTINUOUSLY EVALUATE AND MODIFY EXISTING DISEASE  
2 SURVEILLANCE PROCEDURES IN ORDER TO DETECT A CATASTROPHIC HEALTH  
3 EMERGENCY;

4 (2) INVESTIGATE ACTUAL OR POTENTIAL EXPOSURES TO A DEADLY  
5 AGENT; AND

6 (3) ~~MINIMIZE POTENTIAL MORBIDITY AND MORTALITY CAUSED BY A~~  
7 ~~CATASTROPHIC HEALTH EMERGENCY~~ TREAT, PREVENT, OR REDUCE THE SPREAD OF  
8 THE DISEASE OR OUTBREAK BELIEVED TO HAVE BEEN CAUSED BY THE EXPOSURE  
9 TO A DEADLY AGENT.

10 18-903.

11 (A) (1) IN ACCORDANCE WITH PROCEDURES TO BE ADOPTED BY THE  
12 DEPARTMENT, THE SECRETARY, IN CONSULTATION WITH HEALTH CARE FACILITIES,  
13 MAY REQUIRE HEALTH CARE FACILITIES TO DEVELOP AND IMPLEMENT  
14 CONTINGENCY PLANS ADDRESSING:

15 (I) STAFF TRAINING NEEDS;

16 (II) STOCKPILING OF EQUIPMENT, MEDICATION, AND SUPPLIES  
17 NECESSARY TO ADDRESS A CATASTROPHIC HEALTH EMERGENCY;

18 (III) TREATMENT AND DECONTAMINATION PROTOCOLS;

19 (IV) THE COORDINATION OF SERVICES WITH OTHER PUBLIC AND  
20 PRIVATE ENTITIES; AND

21 (V) ANY OTHER AREA THAT THE SECRETARY DETERMINES IS  
22 NECESSARY TO ASSIST IN THE EARLY DETECTION AND TREATMENT OF AN  
23 INDIVIDUAL EXPOSED TO A DEADLY AGENT.

24 (2) TO THE EXTENT FEASIBLE, THE PROCEDURES TO BE ADOPTED BY  
25 THE DEPARTMENT UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL BE  
26 CONSISTENT WITH ACCREDITATION REQUIREMENTS OF THE JOINT COMMISSION ON  
27 THE ACCREDITATION OF HEALTH CARE ORGANIZATIONS.

28 (B) AFTER CONSULTING WITH THE APPROPRIATE LICENSING BOARD, THE  
29 SECRETARY:

30 (1) SHALL PUBLISH PROTOCOLS TO ASSIST HEALTH CARE  
31 PRACTITIONERS IN DEVELOPING PLANS TO RESPOND TO A CATASTROPHIC HEALTH  
32 EMERGENCY; AND

33 (2) MAY, IF NECESSARY, REQUIRE HEALTH CARE PRACTITIONERS TO  
34 IMPLEMENT THE PLANS DEVELOPED UNDER ITEM (1) OF THIS SUBSECTION.

1 (C) THE SECRETARY SHALL DEVELOP A PROCESS TO LICENSE, CERTIFY, OR  
2 CREDENTIAL HEALTH CARE PRACTITIONERS WHO MAY BE NEEDED TO RESPOND TO  
3 A CATASTROPHIC HEALTH EMERGENCY.

4 18-904.

5 (A) IN THIS SECTION, "INFORMATION" MEANS MEDICAL, EPIDEMIOLOGICAL,  
6 OR OTHER DATA CONCERNING A SPECIFIC INDIVIDUAL OR A GROUP OF  
7 INDIVIDUALS, REGARDLESS ~~IF~~ OF WHETHER THE INFORMATION IS OTHERWISE  
8 DEEMED CONFIDENTIAL ~~BY LAW~~ UNDER TITLE 4 OF THIS ARTICLE OR AS OTHERWISE  
9 PROVIDED UNDER LAW.

10 (B) IN ORDER TO MAINTAIN AN EFFECTIVE DISEASE SURVEILLANCE SYSTEM  
11 FOR DETECTING WHETHER INDIVIDUALS HAVE BEEN EXPOSED TO A DEADLY AGENT,  
12 THE SECRETARY MAY BY ORDER, DIRECTIVE, OR REGULATION:

13 (1) REQUIRE A HEALTH CARE PROVIDER OR OTHER PERSON TO REPORT  
14 INFORMATION TO THE SECRETARY OR OTHER PUBLIC OFFICIAL ON THE  
15 FOLLOWING:

16 (I) THE PRESENCE OF AN INDIVIDUAL OR GROUP OF INDIVIDUALS  
17 WITH SPECIFIED ILLNESSES OR SYMPTOMS;

18 (II) DIAGNOSTIC AND LABORATORY FINDINGS RELATING TO  
19 DISEASES CAUSED BY DEADLY AGENTS;

20 (III) STATISTICAL OR UTILIZATION TRENDS RELATING TO  
21 POTENTIAL DISEASE OUTBREAKS;

22 (IV) INFORMATION NEEDED TO CONDUCT CONTACT TRACING FOR  
23 EXPOSED INDIVIDUALS; AND

24 (V) OTHER DATA DEEMED BY THE SECRETARY TO HAVE  
25 EPIDEMIOLOGICAL SIGNIFICANCE IN DETECTING POSSIBLE CATASTROPHIC HEALTH  
26 EMERGENCIES;

27 (2) OBTAIN ACCESS TO INFORMATION IN THE POSSESSION OF A HEALTH  
28 CARE PROVIDER;

29 (3) REQUIRE OR AUTHORIZE A HEALTH CARE PROVIDER TO DISCLOSE  
30 INFORMATION TO AN AGENCY OF THE FEDERAL, STATE, OR LOCAL GOVERNMENT OR  
31 ANOTHER HEALTH CARE PROVIDER;

32 (4) REQUIRE A HEALTH CARE PROVIDER OR OTHER PERSON TO SUBMIT  
33 REPORTS TO THE DEPARTMENT CONTAINING INFORMATION DETAILING THE  
34 PRESENCE AND USE OF DEADLY AGENTS;

35 (5) OBTAIN ACCESS TO PREMISES IN ORDER TO SECURE  
36 ENVIRONMENTAL SAMPLES AND OTHERWISE INVESTIGATE ACTUAL OR POTENTIAL  
37 EXPOSURES TO DEADLY AGENTS; AND

1 (6) REQUIRE A VETERINARIAN OR OTHER PERSON TO REPORT DATA  
2 RELATING TO SPECIFIED ILLNESSES OR SYMPTOMS IN ANIMAL POPULATIONS.

3 (C) THE SECRETARY, IN ACQUIRING INFORMATION UNDER SUBSECTION (B) OF  
4 THIS SECTION, SHALL:

5 (1) REQUEST AND USE NONIDENTIFYING INFORMATION WHENEVER  
6 POSSIBLE; AND

7 (2) LIMIT THE USE OF CONFIDENTIAL INFORMATION TO THE EXTENT  
8 NECESSARY TO DETECT AND INVESTIGATE ACTUAL OR POTENTIAL EXPOSURES TO A  
9 DEADLY AGENT.

10 ~~(C)~~ (D) (1) ANY INFORMATION THAT THE SECRETARY RECEIVES UNDER  
11 SUBSECTION (B) OF THIS SECTION IS CONFIDENTIAL AND MAY BE USED OR  
12 DISCLOSED ONLY IN ACCORDANCE WITH THIS SECTION.

13 ~~(4)~~ (2) IF THE INFORMATION REQUESTED IN SUBSECTION (B) OF THIS  
14 SECTION IS OTHERWISE CONFIDENTIAL ~~BY LAW UNDER TITLE 4 OF THIS ARTICLE OR~~  
15 AS OTHERWISE PROVIDED UNDER LAW, A THE SECRETARY OR PERSON THAT  
16 RECEIVES THE INFORMATION MAY NOT REDISCLOSE THE INFORMATION EXCEPT AS  
17 PROVIDED IN PARAGRAPH ~~(2)~~ (3) OF THIS SUBSECTION.

18 ~~(2)~~ (3) A PERSON MAY REDISCLOSE THE INFORMATION TO ANOTHER  
19 HEALTH CARE PROVIDER OR PUBLIC OFFICIAL PROVIDED THAT ~~THE SECRETARY~~  
20 ~~DEEMS THE REDISCLOSURE NECESSARY FOR THE TREATMENT, CONTROL,~~  
21 ~~INVESTIGATION, AND PREVENTION OF A CATASTROPHIC HEALTH EMERGENCY;~~

22 (I) THE HEALTH CARE PROVIDER OR PUBLIC AGENCY TO WHOM  
23 THE INFORMATION IS DISCLOSED WILL MAINTAIN THE CONFIDENTIALITY OF THE  
24 DISCLOSURE; AND

25 (II) THE SECRETARY DETERMINES THE DISCLOSURE IS NECESSARY  
26 TO TREAT, PREVENT, OR REDUCE THE SPREAD OF THE DISEASE OR OUTBREAK  
27 BELIEVED TO HAVE BEEN CAUSED BY THE EXPOSURE TO A DEADLY AGENT.

28 18-905.

29 (A) IN INVESTIGATING ACTUAL OR POTENTIAL EXPOSURES TO A DEADLY  
30 AGENT, THE SECRETARY ~~MAY:~~

31 ~~(1) IN ACCORDANCE WITH SUBSECTION (B) OF THIS SECTION,~~  
32 ~~ESTABLISH, MAINTAIN, AND ENFORCE APPROPRIATE EVALUATION, ISOLATION,~~  
33 ~~TREATMENT, AND QUARANTINE ORDERS FOR ANY PERSONS ACTUALLY OR~~  
34 ~~POTENTIALLY EXPOSED TO A DEADLY AGENT;~~

35 (1) (I) MAY ISSUE AN ORDER REQUIRING INDIVIDUALS WHOM THE  
36 SECRETARY HAS REASON TO BELIEVE HAVE BEEN EXPOSED TO A DEADLY AGENT TO  
37 SEEK APPROPRIATE AND NECESSARY EVALUATION AND TREATMENT;

1                   (II)     WHEN THE SECRETARY DETERMINES THAT IT IS MEDICALLY  
2 NECESSARY AND REASONABLE TO PREVENT OR REDUCE THE SPREAD OF THE  
3 DISEASE OR OUTBREAK BELIEVED TO HAVE BEEN CAUSED BY THE EXPOSURE TO A  
4 DEADLY AGENT, MAY ORDER AN INDIVIDUAL OR GROUP OF INDIVIDUALS TO GO TO  
5 AND REMAIN IN PLACES OF ISOLATION OR QUARANTINE UNTIL THE SECRETARY  
6 DETERMINES THAT THE INDIVIDUAL NO LONGER POSES A SUBSTANTIAL RISK OF  
7 TRANSMITTING THE DISEASE OR CONDITION TO THE PUBLIC; AND

8                   (III)    IF A COMPETENT INDIVIDUAL OVER THE AGE OF 18 REFUSES  
9 VACCINATION, MEDICAL EXAMINATION, TREATMENT, OR TESTING UNDER THIS  
10 PARAGRAPH, MAY REQUIRE THE INDIVIDUAL TO GO TO AND REMAIN IN PLACES OF  
11 ISOLATION OR QUARANTINE UNTIL THE SECRETARY DETERMINES THAT THE  
12 INDIVIDUAL NO LONGER POSES A SUBSTANTIAL RISK OF TRANSMITTING THE  
13 DISEASE OR CONDITION TO THE PUBLIC;

14               (2)     MAY COORDINATE AND DIRECT THE EFFORTS OF ANY HEALTH  
15 OFFICER OR HEALTH COMMISSIONER OF ANY SUBDIVISION IN SEEKING TO DETECT  
16 OR RESPOND TO THREATS POSED BY A DEADLY AGENT; AND

17               (3)     MAY ORDER ANY SHERIFF, DEPUTY SHERIFF, OR OTHER LAW  
18 ENFORCEMENT OFFICER OF THE STATE OR ANY SUBDIVISION TO ASSIST IN THE  
19 EXECUTION OR ENFORCEMENT OF ANY ORDER ISSUED UNDER THIS SUBTITLE.

20       (B)     THE SECRETARY MAY ISSUE AN ORDER UNDER SUBSECTION (A) OF THIS  
21 SECTION:

22               (1)     IF, PRIOR TO THE ISSUANCE OF A PROCLAMATION UNDER ARTICLE  
23 41, § 2-104 OF THE CODE, THE SECRETARY DETERMINES THAT THE DISEASE OR  
24 OUTBREAK CAN BE MEDICALLY CONTAINED BY THE DEPARTMENT AND  
25 APPROPRIATE HEALTH CARE PROVIDERS; AND

26               (2)     AS NECESSARY TO IMPLEMENT AN ORDER ISSUED BY THE  
27 GOVERNOR UNDER ARTICLE 41, § 2-104 OF THE CODE.

28 18-906.

29       (A)     (1)     (I)     IF THE SECRETARY REQUIRES AN INDIVIDUAL OR A GROUP OF  
30 INDIVIDUALS TO GO TO AND REMAIN IN PLACES OF ISOLATION OR QUARANTINE  
31 UNDER SUBSECTION § 18-905 OF THIS SUBTITLE, THE SECRETARY SHALL ISSUE A  
32 DIRECTIVE TO THE INDIVIDUAL OR GROUP OF INDIVIDUALS.

33                   (II)    THE DIRECTIVE SHALL SPECIFY:

34                            1.     THE IDENTITY OF THE INDIVIDUAL OR GROUP OF  
35 INDIVIDUALS SUBJECT TO ISOLATION OR QUARANTINE;

36                            2.     THE PREMISES SUBJECT TO ISOLATION OR QUARANTINE;

37                            3.     THE DATE AND TIME AT WHICH ISOLATION OR  
38 QUARANTINE COMMENCES;

1                                   4.     THE SUSPECTED DEADLY AGENT CAUSING THE  
2 OUTBREAK OR DISEASE, IF KNOWN;

3                                   5.     THE BASIS UPON WHICH ISOLATION OR QUARANTINE IS  
4 JUSTIFIED; AND

5                                   6.     THE AVAILABILITY OF A HEARING TO CONTEST THE  
6 DIRECTIVE.

7                                   (III) 1.     EXCEPT AS PROVIDED IN SUB-SUBPARAGRAPH 2 OF THIS  
8 SUBPARAGRAPH, THE DIRECTIVE SHALL BE IN WRITING AND GIVEN TO THE  
9 INDIVIDUAL OR GROUP OF INDIVIDUALS PRIOR TO THE INDIVIDUAL OR GROUP OF  
10 INDIVIDUALS BEING REQUIRED TO GO TO AND REMAIN IN PLACES OF ISOLATION  
11 AND QUARANTINE.

12                                   2.     A.     IF THE SECRETARY DETERMINES THAT THE NOTICE  
13 REQUIRED UNDER SUB-SUBPARAGRAPH 1 OF THIS SUBPARAGRAPH IS IMPRACTICAL  
14 BECAUSE OF THE NUMBER OF INDIVIDUALS OR GEOGRAPHICAL AREAS AFFECTED,  
15 THE SECRETARY SHALL ENSURE THAT THE AFFECTED INDIVIDUALS ARE FULLY  
16 INFORMED OF THE DIRECTIVE USING THE BEST POSSIBLE MEANS AVAILABLE.

17                                   B.     IF THE DIRECTIVE APPLIES TO A GROUP OF INDIVIDUALS  
18 AND IT IS IMPRACTICAL TO PROVIDE WRITTEN INDIVIDUAL COPIES UNDER  
19 SUB-SUBPARAGRAPH 1 OF THIS SUBPARAGRAPH, THE WRITTEN DIRECTIVE MAY BE  
20 POSTED IN A CONSPICUOUS PLACE IN THE ISOLATION OR QUARANTINE PREMISES.

21     (B)     (1)     AN INDIVIDUAL OR GROUP OF INDIVIDUALS ISOLATED OR  
22 QUARANTINED UNDER SUBSECTION (A) OF THIS SECTION MAY REQUEST A HEARING  
23 IN CIRCUIT COURT CONTESTING THE ISOLATION OR QUARANTINE.

24                                   (2)     A REQUEST FOR A HEARING MAY NOT STAY OR ENJOIN AN  
25 ISOLATION OR QUARANTINE DIRECTIVE.

26                                   (3)     UPON RECEIPT OF A REQUEST UNDER THIS SUBSECTION, THE  
27 COURT SHALL CONDUCT A HEARING WITHIN 3 DAYS FROM RECEIPT OF THE  
28 REQUEST.

29                                   (4)     (I)     IN ANY PROCEEDINGS BROUGHT FOR RELIEF UNDER THIS  
30 SUBSECTION, THE COURT MAY EXTEND THE TIME FOR A HEARING UPON A SHOWING  
31 BY THE SECRETARY OR OTHER DESIGNATED OFFICIAL THAT EXTRAORDINARY  
32 CIRCUMSTANCES EXIST THAT JUSTIFY THE EXTENSION.

33                                   (II)     IN GRANTING OR DENYING AN EXTENSION, THE COURT SHALL  
34 CONSIDER THE RIGHTS OF THE AFFECTED INDIVIDUAL, THE PROTECTION OF THE  
35 PUBLIC HEALTH, THE SEVERITY OF THE CATASTROPHIC HEALTH EMERGENCY, AND  
36 THE AVAILABILITY, IF NECESSARY, OF WITNESSES AND EVIDENCE.

37                                   (5)     (I)     1.     THE COURT SHALL GRANT THE REQUEST FOR RELIEF  
38 UNLESS THE COURT DETERMINES THAT THE ISOLATION OR QUARANTINE DIRECTIVE  
39 IS NECESSARY AND REASONABLE TO PREVENT OR REDUCE THE SPREAD OF THE

1 DISEASE OR OUTBREAK BELIEVED TO HAVE BEEN CAUSED BY THE EXPOSURE TO A  
2 DEADLY AGENT.

3                                   2. IF FEASIBLE, IN MAKING A DETERMINATION UNDER THIS  
4 SUBPARAGRAPH, THE COURT MAY CONSIDER THE MEANS OF TRANSMISSION, THE  
5 DEGREE OF CONTAGION, AND, TO THE EXTENT POSSIBLE, THE DEGREE OF PUBLIC  
6 EXPOSURE TO THE DISEASE.

7                                   (II) 1. AN ORDER AUTHORIZING THE ISOLATION OR  
8 QUARANTINE ISSUED UNDER THIS PARAGRAPH SHALL:

9                                   A. IDENTIFY THE ISOLATED OR QUARANTINED INDIVIDUAL  
10 OR GROUP OF INDIVIDUALS BY NAME OR SHARED CHARACTERISTICS;

11                                  B. SPECIFY FACTUAL FINDINGS WARRANTING ISOLATION OR  
12 QUARANTINE; AND

13                                  C. EXCEPT AS PROVIDED IN SUB-SUBPARAGRAPH 2 OF THIS  
14 SUBPARAGRAPH, BE IN WRITING AND GIVEN TO THE INDIVIDUAL OR GROUP OF  
15 INDIVIDUALS.

16                                  2. IF THE COURT DETERMINES THAT THE NOTICE REQUIRED  
17 IN SUB-SUBPARAGRAPH 1C OF THIS SUBPARAGRAPH IS IMPRACTICAL BECAUSE OF  
18 THE NUMBER OF INDIVIDUALS OR GEOGRAPHICAL AREAS AFFECTED, THE COURT  
19 SHALL ENSURE THAT THE AFFECTED INDIVIDUALS ARE FULLY INFORMED OF THE  
20 ORDER USING THE BEST POSSIBLE MEANS AVAILABLE.

21                                  (III) AN ORDER AUTHORIZING ISOLATION OR QUARANTINE IS  
22 EFFECTIVE FOR A PERIOD NOT TO EXCEED 30 DAYS.

23                                  (IV) 1. PRIOR TO THE EXPIRATION OF AN ORDER, THE  
24 SECRETARY OR DESIGNATED OFFICIAL MAY MOVE TO CONTINUE ISOLATION OR  
25 QUARANTINE FOR SUBSEQUENT 30-DAY PERIODS.

26                                  2. THE COURT SHALL BASE ITS DECISION ON THE  
27 STANDARDS PROVIDED UNDER THIS PARAGRAPH.

28                                  (6) IN THE EVENT THAT AN INDIVIDUAL CANNOT PERSONALLY APPEAR  
29 BEFORE THE COURT, PROCEEDINGS MAY BE CONDUCTED:

30                                  (I) BY AN INDIVIDUAL'S AUTHORIZED REPRESENTATIVE; AND

31                                  (II) THROUGH ANY MEANS THAT ALLOWS OTHER INDIVIDUALS TO  
32 FULLY PARTICIPATE.

33                                  (7) IN ANY PROCEEDINGS BROUGHT UNDER THIS SUBSECTION, THE  
34 COURT MAY ORDER THE CONSOLIDATION OF INDIVIDUAL CLAIMS INTO GROUP  
35 CLAIMS WHERE:

1 (I) THE NUMBER OF INDIVIDUALS INVOLVED OR AFFECTED IS SO  
2 LARGE AS TO RENDER INDIVIDUAL PARTICIPATION IMPRACTICAL;

3 (II) THERE ARE QUESTIONS OF LAW OR FACT COMMON TO THE  
4 INDIVIDUAL CLAIMS OR RIGHTS TO BE DETERMINED;

5 (III) THE GROUP CLAIMS OR RIGHTS TO BE DETERMINED ARE  
6 TYPICAL OF THE AFFECTED INDIVIDUAL'S CLAIMS OR RIGHTS; OR

7 (IV) THE ENTIRE GROUP WILL BE ADEQUATELY REPRESENTED IN  
8 THE CONSOLIDATION.

9 (C) THE COURT SHALL APPOINT COUNSEL TO REPRESENT INDIVIDUALS OR A  
10 GROUP OF INDIVIDUALS WHO ARE NOT OTHERWISE REPRESENTED BY COUNSEL.

11 (D) THE COURT OF APPEALS SHALL DEVELOP EMERGENCY RULES OF  
12 PROCEDURE TO FACILITATE THE EFFICIENT ADJUDICATION OF ANY PROCEEDINGS  
13 BROUGHT UNDER THIS SECTION.

14 (E) IT SHALL BE UNLAWFUL FOR ANY PUBLIC OR PRIVATE EMPLOYER TO  
15 DISCHARGE AN EMPLOYEE WHO IS UNDER AN ORDER OF ISOLATION OR  
16 QUARANTINE OR BECAUSE OF SUCH AN ORDER.

17 ~~48-906. 18-907.~~

18 (A) (1) A PERSON MAY NOT KNOWINGLY AND WILLFULLY FAIL TO COMPLY  
19 WITH ANY ORDER, REGULATION, OR DIRECTIVE ISSUED IN ACCORDANCE WITH §  
20 18-905 OF THIS SUBTITLE.

21 (2) A PERSON WHO VIOLATES PARAGRAPH (1) OF THIS SUBSECTION IS  
22 GUILTY OF A ~~FELONY MISDEMEANOR~~ AND ON CONVICTION IS SUBJECT TO  
23 IMPRISONMENT NOT EXCEEDING ~~2 YEARS,~~ 1 YEAR OR A FINE NOT EXCEEDING ~~\$5,000,~~  
24 \$3,000 OR BOTH.

25 (B) IF A HEALTH CARE FACILITY FAILS TO COMPLY WITH AN ORDER,  
26 REGULATION, OR DIRECTIVE ISSUED UNDER § 18-903 OR § 18-904 OF THIS SUBTITLE,  
27 THE SECRETARY MAY IMPOSE A CIVIL PENALTY NOT TO EXCEED ~~\$10,000~~ \$3,000 FOR  
28 EACH OFFENSE.

29 (C) IF A HEALTH CARE PRACTITIONER FAILS TO COMPLY WITH AN ORDER,  
30 REGULATION, OR DIRECTIVE ISSUED UNDER § 18-903 OR § 18-904 OF THIS SUBTITLE,  
31 THE SECRETARY MAY REQUEST THE APPROPRIATE LICENSING BOARD TO TAKE  
32 DISCIPLINARY ACTION AGAINST THE HEALTH CARE PRACTITIONER, INCLUDING:

33 (1) PLACING THE LICENSEE OR CERTIFICATE HOLDER ON PROBATION;

34 (2) SUSPENDING OR REVOKING THE LICENSE OR CERTIFICATE HOLDER;

35 OR

1 (3) IMPOSING A CIVIL PENALTY NOT TO EXCEED ~~\$10,000~~ \$3,000 FOR EACH  
2 OFFENSE.

3 (D) A HEALTH CARE PROVIDER ACTING IN GOOD FAITH AND IN ACCORDANCE  
4 WITH A CATASTROPHIC HEALTH EMERGENCY DISEASE SURVEILLANCE AND  
5 RESPONSE PROGRAM IS IMMUNE FROM CIVIL OR CRIMINAL LIABILITY RELATED TO  
6 THOSE ACTIONS, UNLESS THE HEALTH CARE PROVIDER ACTS WITH WILLFUL  
7 MISCONDUCT.

8 ~~48-907. 18-908.~~

9 (A) ~~ON OR BEFORE DECEMBER 31, 2002, AND ON OR BEFORE EVERY~~  
10 ~~DECEMBER 31 OF EACH SUCCEEDING YEAR THROUGH 2005, THE SECRETARY OF~~  
11 ~~HEALTH AND MENTAL HYGIENE SHALL SUBMIT A REPORT TO THE GOVERNOR AND~~  
12 ~~TO THE GENERAL ASSEMBLY IN ACCORDANCE WITH § 2-1246 OF THE STATE~~  
13 ~~GOVERNMENT ARTICLE REGARDING THE IMPLEMENTATION AND OPERATION OF~~  
14 ~~MARYLAND'S CATASTROPHIC HEALTH EMERGENCY DISEASE SURVEILLANCE~~  
15 ~~PROGRAM ANY PLANS, PROCEDURES, OR PROTOCOLS DEVELOPED UNDER THIS~~  
16 ~~SUBTITLE OR ANY RECOMMENDATIONS FOR ADDITIONAL LEGISLATION THAT MAY~~  
17 ~~BE NECESSARY TO RESPOND TO A CATASTROPHIC HEALTH EMERGENCY.~~

18 (B) THE SECRETARY SHALL UPDATE THE REPORT REQUIRED UNDER  
19 SUBSECTION (A) OF THIS SECTION EVERY 3 YEARS OR WHEN ANY PLAN, PROCEDURE,  
20 OR PROTOCOL DEVELOPED UNDER THIS SUBTITLE OR ANY OTHER PROVISION OF  
21 THIS SUBTITLE IS USED IN ORDER TO DETECT A CATASTROPHIC HEALTH  
22 EMERGENCY.

23 ~~SECTION 2. AND BE IT FURTHER ENACTED, That the Maryland Emergency~~  
24 ~~Management Agency shall coordinate efforts with the Maryland Institute for~~  
25 ~~Emergency Medical Services Systems and the Department of Health and Mental~~  
26 ~~Hygiene to assure that surveillance efforts to detect and respond to a catastrophic~~  
27 ~~health emergency are conducted in a manner that support, and are not duplicative of,~~  
28 ~~the State's overall emergency preparedness efforts.~~

29 SECTION 2. AND BE IT FURTHER ENACTED, That after an executive order  
30 proclaiming the existence of a catastrophic health emergency is rescinded, the State  
31 shall make reasonable efforts to determine the costs associated with health care  
32 providers' compliance with the proclamation and, based on that information, include  
33 health care providers in any application for State and federal financial aid as  
34 appropriate.

35 SECTION 3. AND BE IT FURTHER ENACTED, That the Secretary of Health  
36 and Mental Hygiene shall develop a process and work collaboratively, to the extent  
37 feasible, with the Maryland Emergency Management Agency, the Maryland Institute  
38 for Emergency Medical Services Systems, health care providers, including the  
39 Association of Maryland Hospitals & Health Systems and the Maryland State  
40 Medical Society, and interested parties on the implementation of this Act. In  
41 implementing the requirements of this Act, the Secretary shall use every attempt to  
42 build on existing health and medical disaster preparedness plans.

1     SECTION 4. AND BE IT FURTHER ENACTED, That the Secretary shall adopt  
2 regulations to ensure that any individual subject to isolation or quarantine under the  
3 provisions of this Act shall receive appropriate and adequate care which may include  
4 daily monitoring of the individual's care, and to the extent feasible, provisions for  
5 communication of information and recognition of cultural and religious beliefs.

6     SECTION 5. AND BE IT FURTHER ENACTED, That the Department of  
7 Health and Mental Hygiene shall adopt regulations for health care facilities to follow  
8 in providing for the needs of pediatric patients, related to:

9             (1)     staff training needs;

10            (2)     stockpiling of equipment, medication, and supplies necessary to  
11 address a catastrophic health emergency;

12            (3)     treatment and decontamination protocols; and

13            (4)     the coordination of services with other public and private entities.

14     SECTION 6. AND BE IT FURTHER ENACTED, That if any provision of this  
15 Act or the application thereof to any person or circumstance is held invalid for any  
16 reason in a court of competent jurisdiction, the invalidity does not affect other  
17 provisions or any other application of this Act which can be given effect without the  
18 invalid provision or application, and for this purpose the provisions of this Act are  
19 declared severable.

20     ~~SECTION 7.~~ SECTION 7. AND BE IT FURTHER ENACTED, That this Act is an  
21 emergency measure, is necessary for the immediate preservation of the public health  
22 or safety, has been passed by a ye and nay vote supported by three-fifths of all the  
23 members elected to each of the two Houses of the General Assembly, and shall take  
24 effect from the date it is enacted.