

SENATE BILL 519
EMERGENCY BILL

Unofficial Copy
J1

2002 Regular Session
2lr0685

By: **Senator Teitelbaum**

Introduced and read first time: February 1, 2002

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Health - Public Health Emergencies - Hospital Decontamination Facilities**

3 FOR the purpose of requiring certain accredited hospitals in the State to create
4 decontamination facilities meeting certain requirements; requiring the
5 Department of Health and Mental Hygiene to apply for federal funds for
6 decontamination facilities; authorizing the Department to apply for and receive
7 additional federal funds to indemnify hospitals against certain civil actions;
8 requiring the Department to adopt regulations to carry out this Act; defining
9 certain terms; making this Act an emergency measure; and generally relating to
10 hospital decontamination facilities.

11 BY adding to

12 Article - Health - General

13 Section 19-375 to be under the new part "Part X. Public Health Emergencies"

14 Annotated Code of Maryland

15 (2000 Replacement Volume and 2001 Supplement)

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

18 **Article - Health - General**

19 **PART X. PUBLIC HEALTH EMERGENCIES.**

20 19-375.

21 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
22 INDICATED.

23 (2) "DECONTAMINATION FACILITY" MEANS A FACILITY WHERE:

24 (I) APPROPRIATE PRECAUTIONS HAVE BEEN TAKEN TO PREVENT
25 THE SPREAD OR CONTAMINATION OF BIOLOGICAL, CHEMICAL, OR OTHER
26 HAZARDOUS SUBSTANCES OUTSIDE THE FACILITY; AND

1 (II) PATIENT DECONTAMINATION OCCURS.

2 (3) "PATIENT DECONTAMINATION" MEANS THE PROCESS OF REMOVING
3 OR NEUTRALIZING HAZARDOUS CHEMICAL, BIOLOGICAL, OR RADIOLOGICAL AGENTS
4 FROM AN INJURED OR OTHERWISE EXPOSED INDIVIDUAL IN ORDER TO REDUCE THE
5 RISK TO THE INDIVIDUAL AND MINIMIZE SECONDARY EXPOSURE TO HEALTH CARE
6 WORKERS AND OTHER PATIENTS IN THE FACILITY.

7 (4) "PERSONAL PROTECTIVE EQUIPMENT" OR "PPE" MEANS A TYPE OF
8 SPECIALIZED CLOTHING, EQUIPMENT, AND RESPIRATORY APPARATUS THAT HAS
9 DIFFERENT LEVELS OF PROTECTION AS DETERMINED BY THE OCCUPATIONAL
10 SAFETY AND HEALTH ADMINISTRATION DESIGNED TO SHIELD AN INDIVIDUAL FROM
11 CHEMICAL, BIOLOGICAL, OR OTHER PHYSICAL HAZARDS.

12 (B) (1) CONTINGENT UPON RECEIVING FEDERAL FUNDS, EACH
13 ACCREDITED HOSPITAL IN THE STATE THAT PROVIDES EMERGENCY MEDICAL
14 SERVICES SHALL HAVE A DECONTAMINATION FACILITY, CONSISTENT WITH
15 REGULATIONS ADOPTED BY THE DEPARTMENT.

16 (2) EACH DECONTAMINATION FACILITY SHALL INCLUDE:

17 (I) A DEDICATED ENTRANCE SEPARATE FROM THE EMERGENCY
18 ENTRANCE;

19 (II) A SEPARATE VENTILATION SYSTEM;

20 (III) A WATER SUPPLY FOR EMERGENCY EYEWASH AND SHOWER;

21 (IV) A WASTE WATER CONTAINMENT SYSTEM;

22 (V) THE APPROPRIATE LEVEL PPE FOR HOSPITAL STAFF WHO HELP
23 WITH PATIENT DECONTAMINATION, AS DETERMINED BY THE DEPARTMENT AND THE
24 OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION;

25 (VI) FACILITIES FOR THE SAFE COLLECTION, CONTAINMENT,
26 STORAGE, AND DISPOSAL OF CONTAMINATED MATERIALS; AND

27 (VII) ANY OTHER REQUIREMENTS THAT THE SECRETARY
28 DETERMINES ARE NECESSARY.

29 (C) (1) THE DEPARTMENT SHALL APPLY FOR FUNDS IN THE FORM OF A
30 GRANT FROM THE FEDERAL GOVERNMENT OR A UNIT OF THE FEDERAL
31 GOVERNMENT TO ESTABLISH DECONTAMINATION FACILITIES UNDER THIS SECTION.

32 (2) THE DEPARTMENT SHALL APPLY FOR ADDITIONAL FUNDS IN THE
33 FORM OF A GRANT FROM THE FEDERAL GOVERNMENT OR A UNIT OF THE FEDERAL
34 GOVERNMENT TO PROVIDE FOR INSURANCE FOR HOSPITALS IN ORDER TO BE
35 INDEMNIFIED AGAINST CIVIL ACTIONS RELATED TO THE PATIENT
36 DECONTAMINATION PROCESS.

1 (D) THE DEPARTMENT SHALL ADOPT REGULATIONS FOR CARRYING OUT THIS
2 SECTION.

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency
4 measure, is necessary for the immediate preservation of the public health or safety,
5 has been passed by a ye and nay vote supported by three-fifths of all the members
6 elected to each of the two Houses of the General Assembly, and shall take effect from
7 the date it is enacted.