

**Department of Legislative Services**  
Maryland General Assembly  
2004 Session

**FISCAL AND POLICY NOTE**  
**Revised**

House Bill 580 (Chairman, Health and Government Operations Committee)  
(By Request – Departmental – Health and Mental Hygiene)  
Health and Government Operations Education, Health, and Environmental Affairs

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**Disease Prevention - Laboratory Examination Reports**

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This departmental bill specifies that the director of a medical laboratory outside Maryland that tests a human specimen from a person in Maryland must submit a report to the Secretary of Health and Mental Hygiene within 48 hours after an examination that shows evidence of specified diseases or conditions. The Secretary will notify the health officer of the jurisdiction where the patient resides of such a laboratory examination report. The bill adds all types of arbovirus infection, pesticide-related illness, and severe acute respiratory syndrome (SARS) to the list of diseases and conditions required to be reported.

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**Fiscal Summary**

**State Effect:** Minimal. Although it is unknown how many additional reports would be made to the Department of Health and Mental Hygiene (DHMH), it is assumed the increase could be absorbed within existing resources.

**Local Effect:** None.

**Small Business Effect:** DHMH has determined that this bill has minimal or no impact on small business (attached). Legislative Services concurs with this assessment. (The attached assessment does not reflect amendments to the bill.)

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**Analysis**

**Current Law:** The director of a medical laboratory must submit a report to the health officer for the county where the laboratory is located within 48 hours after an

examination of a specimen from a human body shows evidence of any of 62 listed diseases. Those include anthrax, diphtheria, gonorrhea, lyme disease, rabies, tuberculosis, and yellow fever.

A health officer must inform the Secretary of each laboratory exam report received. All laboratory reports are confidential, not open to public inspection, and subject to subpoena or discovery in a criminal or civil proceeding only pursuant to a court order sealing the court record. This does not apply to a disclosure by the Secretary to another governmental agency performing its lawful duties as authorized by an act of the Maryland General Assembly or the U.S. Congress where the Secretary determines that the agency to whom the information is disclosed will maintain the confidentiality and the disclosure is necessary to protect the public health or to prevent the spread of an infectious or contagious disease.

A medical laboratory's report to DHMH on any of the reportable diseases must include: (1) the date, type, and result of the test that shows the evidence of the disease; (2) the patient's name, age, sex, and address from whom the specimen was taken; and (3) the name and address of the physician who requested the test. For reports of HIV infection and CD 4+ count under 200/MM3, the patient's identifying number, age, sex, and zip code must be included in the report.

The Secretary, a health officer, or agent of the Secretary or health officer may inspect laboratory records to assure compliance with these requirements.

**Background:** There are 342 independent medical laboratories licensed in Maryland: one outside of the U.S.; 211 out of the state; and 130 in the State. DHMH reports that this bill strengthens the department's ability to better survey and track disease outbreaks and emerging infections.

Arboviruses, which includes the West Nile virus, are a group of viruses that are spread mainly by blood-sucking insects such as mosquitoes. Birds are often the infection source for mosquitoes which then transmit the infection to people, horses, and other animals. Arboviruses can cause four types of illnesses: central nervous system illnesses, such as viral meningitis and encephalitis; mild fever; hemorrhagic fevers; and arthritis and rashes. It can take from three to 21 days after a person or animal is exposed before symptoms occur. Arbovirus prevention centers on mosquito control and preventing mosquito bites.

SARS is a viral respiratory illness caused by a coronavirus. First reported February 2003 in Asia, the disease spread to the U.S. where there were 192 cases of SARS among people, all of whom recovered, according to the Centers for Disease Control and Prevention. SARS symptoms include a high fever, headache, a feeling of discomfort, body aches, mild respiratory symptoms, diarrhea, a dry cough, and pneumonia. SARS is

spread through close contact with other people by respiratory droplets when someone coughs or sneezes.

Pesticide poisoning symptoms vary depending on the type of pesticide or pesticide class. Symptoms of acute chemical poisoning are headache, nausea, dizziness, skin or eye irritation, or a rash. Effects of chronic pesticide poisoning can include deterioration of the organs and the nervous system, cancer, and reproductive system changes.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Department of Health and Mental Hygiene, Centers for Disease Control and Prevention, Association of State and Territorial Directors of Health Promotion and Public Health Education, Department of Legislative Services

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ncs/jr Revised - House Third Reader - March 19, 2004  
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