

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL NO. 718

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Consent” insert “and Public Safety Workers”; in line 5, after “circumstances;” insert “requiring certain individuals in a hospital to order tests to be conducted on blood samples of certain public safety workers for the presence of antibodies to the human immunodeficiency virus (HIV) under certain circumstances; requiring that, for a certain test to be conducted, a public safety worker must give certain notice to a certain medical director, give certain informed consent, and submit a certain sample to be tested; requiring a certain medical director to act as a certain intermediary between a certain public safety worker and a certain officer; providing for a certain limitation of liability for certain individuals;”; and in line 11, after “circumstances;” insert “requiring certain individuals to attempt to notify certain patients of the results of certain tests in a certain manner and provide counseling to certain individuals under certain circumstances; requiring the Department of Health and Mental Hygiene and the Maryland Institute for Emergency Medical Services Systems to jointly develop certain regulations on the collection of certain information; defining a certain term; requiring the Department and the Maryland Institute for Emergency Medical Services Systems to report certain information to the Governor and the General Assembly on or before certain dates;”.

AMENDMENT NO. 2

On page 2, after line 33, insert:

“(8) “PUBLIC SAFETY WORKER” MEANS:

(I) A CAREER OR VOLUNTEER MEMBER OF A FIRE, RESCUE, OR EMERGENCY MEDICAL SERVICES DEPARTMENT, COMPANY, SQUAD, OR AUXILIARY;

(II) A LAW ENFORCEMENT OFFICER; OR

(Over)

(III) THE STATE FIRE MARSHAL OR A SWORN MEMBER OF THE STATE FIRE MARSHAL'S OFFICE."

AMENDMENT NO. 3

On page 3, in line 6, strike "or"; in the same line, after "responder" insert ", OR AN EXPOSURE BETWEEN A PATIENT AND A PUBLIC SAFETY WORKER"; in line 9, strike "provider or first responder" and substitute "PROVIDER, FIRST RESPONDER, OR PUBLIC SAFETY WORKER"; in line 15, after "SOUGHT" insert a comma; in line 16, strike "AND"; in the same line, after "REFUSED" insert ", AND THE PATIENT WAS INFORMED OF THE PROVISIONS OF THIS SUBSECTION"; strike in their entirety lines 17 and 18; in lines 19, 28, and 31, strike "(4)", "(5)", and "(6)", respectively, and substitute "(3)", "(4)", and "(5)", respectively; in line 23, after "1." insert "A."; in line 24, strike "and" and substitute "OR"; after line 24, insert:

"B. THE PUBLIC SAFETY WORKER INVOLVED IN THE EXPOSURE HAS GIVEN PROMPT NOTICE TO THE MEDICAL DIRECTOR WITH JURISDICTION OVER THE PUBLIC SAFETY WORKER; AND";

in line 28, after "provider" insert a comma; in the same line, strike "or"; in the same line, after "responder" insert ", OR PUBLIC SAFETY WORKER"; in line 36, after "provider" insert a comma; in the same line, strike "or"; in the same line, after "responder" insert ", OR PUBLIC SAFETY WORKER"; and in line 37, after "individual" insert "OR A PUBLIC SAFETY WORKER AND AN INDIVIDUAL".

AMENDMENT NO. 4

On page 4, in lines 1 and 4, in each instance, after "responder" insert "OR PUBLIC SAFETY WORKER"; in line 1, after "responder's" insert "OR PUBLIC SAFETY WORKER'S"; in line 8, after "responder" insert "OR PUBLIC SAFETY WORKER"; in line 29, after "shall" insert "ATTEMPT TO"; in line 31, after "provider" insert a comma; in the same line, strike "or"; and in the same line, after "responder" insert ", OR THE PUBLIC SAFETY WORKER".

AMENDMENT NO. 5

On page 5, in line 1, after "provider" insert a comma; in line 2, strike "or"; in the same line, after "responder" insert ", OR PUBLIC SAFETY WORKER"; in line 6, strike "or"; in the same line, after "responder" insert ", OR PUBLIC SAFETY WORKER"; in line 26, after "responder," insert

“PUBLIC SAFETY WORKER.”; in line 29, strike “or”; in the same line, after “responder” insert “OR PUBLIC SAFETY WORKER”; after line 30, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) The Department of Health and Mental Hygiene and the Maryland Institute for Emergency Medical Services Systems jointly shall develop regulations establishing procedures to collect information by county on exposures, as defined by § 18-338.3(a) of the Health - General Article, and refusals to consent by a patient, as described in § 18-338.3(b)(2)(ii) of the Health - General Article, as enacted by Section 1 of this Act.

(b) The Department of Health and Mental Hygiene and the Maryland Institute for Emergency Medical Services Systems shall report the information described in subsection (a) of this section to the Governor and, in accordance with § 2-1246 of the State Government Article, to the General Assembly on or before the following dates:

- (1) December 1, 2005;
- (2) December 1, 2006;
- (3) December 1, 2007; and
- (4) December 1, 2008.”;

and in line 31, strike “2.” and substitute “3.”.