

Department of Legislative Services
Maryland General Assembly
2005 Session

FISCAL AND POLICY NOTE
Revised

House Bill 216 (Chairman, Economic Matters Committee)
(By Request – Departmental – Labor, Licensing, and Regulation)

Economic Matters Education, Health, and Environmental Affairs

State Athletic Commission - Hepatitis C Testing Requirement for Boxers and Kick Boxers

This departmental bill provides that an applicant for a license to participate in a boxing or kick boxing contest must present evidence to the State Athletic Commission that the applicant tested negative for antibodies to virus hepatitis C within 30 days prior to the date of the application.

In addition, whenever directed by the commission, a licensed boxer or kick boxer must present evidence that the licensee tested negative for antibodies to virus hepatitis C within 30 days prior to participating in a contest.

Fiscal Summary

State Effect: None. The change is procedural in nature and would not directly affect governmental finances.

Local Effect: None.

Small Business Effect: The Department of Labor, Licensing, and Regulation (DLLR) 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.

Analysis

Current Law: Chapter 551 of 1996 requires applicants for a boxing or kick boxing license to present evidence to the State Athletic Commission that the applicant tested negative for human immunodeficiency virus (HIV) and hepatitis B within 30 days prior to the date of the application. In addition, whenever directed by the commission, a licensed boxer or kick boxer must present evidence that the licensee tested negative for HIV and hepatitis B within 30 days prior to participating in a contest.

If the commission denies, suspends, or revokes a license because of the failure of an individual to comply with the requirements of this bill, the commission must keep the information confidential. A person violating this confidentiality requirement is guilty of a misdemeanor and subject to a fine of up to \$1,000 for the first offense and \$5,000 for each subsequent conviction.

Background: The hepatitis C virus can cause chronic liver disease. It is readily communicable in its active state and can be passed through the direct or indirect transmission of bodily fluids, particularly blood. As a result, individuals competing as boxers or kick boxers, as well as officials, spectators, and others in close proximity to the ring are at risk of contracting the virus during the normal course of a contest.

When a person is infected with hepatitis C, the body develops antibodies in an attempt to combat the virus. Occasionally (in 15% to 45% of cases), the antibodies are able to wipe out the virus completely and the person is cured. But in most cases (55% to 85%), the infected person develops chronic infection. Most persons with chronic infection develop chronic liver disease. The absence of antibodies indicates that the person is not infected with hepatitis C.

According to DLLR, testing for the hepatitis C virus is a requirement of licensure for boxers in other states and jurisdictions including Arkansas, California, Connecticut, the District of Columbia, Florida, Indiana, Montana, Nevada, New Jersey, New Mexico, New York, North Carolina, Oregon, South Carolina, Texas, Washington, the Mashantucket Pequot Tribal Nation, the Mohegan Tribal Nation, and the Oneida Tribal Nation.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Department of Labor, Licensing, and Regulation; Department of Legislative Services

Fiscal Note History: First Reader - February 1, 2005
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