

# SENATE BILL 597

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By: **Chair, Education, Health, and Environmental Affairs Committee (By Request  
– Departmental – Health and Mental Hygiene)**

Introduced and read first time: February 6, 2015

Assigned to: Education, Health, and Environmental Affairs

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 19, 2015

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Public Health – Immunizations – Related Institutions**

3 FOR the purpose of altering the circumstances under which ~~a resident or~~ an employee of a  
4 related institution is not required to receive a certain vaccine; authorizing a related  
5 institution to permit ~~a resident or~~ an employee to refuse a certain vaccine under  
6 certain circumstances; making certain conforming changes; and generally relating  
7 to immunizations by related institutions of ~~residents and~~ employees.

8 BY repealing and reenacting, without amendments,

9 Article – Health – General

10 Section 18–404(b)

11 Annotated Code of Maryland

12 (2009 Replacement Volume and 2014 Supplement)

13 BY repealing and reenacting, with amendments,

14 Article – Health – General

15 Section 18–404(e)

16 Annotated Code of Maryland

17 (2009 Replacement Volume and 2014 Supplement)

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

20 **Article – Health – General**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 18-404.

2 (b) (1) Subject to subsection (e) of this section, each related institution in the  
3 State shall immunize residents against the influenza virus and pneumococcal disease.

4 (2) Subject to subsection (e) of this section, each related institution in the  
5 State shall immunize employees against the influenza virus.

6 (3) Before an immunization under this section is administered, the related  
7 institution shall obtain written consent to administer the immunization from:

8 (i) The resident or employee receiving the immunization; or

9 (ii) The legal guardian of the resident receiving the immunization.

10 (e) (1) ~~A resident or~~ AN employee is not required to receive a vaccine under  
11 this section if:

12 [(1)] (I) The vaccine is medically contraindicated for the ~~resident or~~  
13 employee; OR

14 [(2)] (II) The vaccine is against the ~~resident's or~~ employee's religious  
15 beliefs]; or

16 (3) After being fully informed by the related institution of the health risks  
17 associated with not receiving a vaccine, the resident or employee refuses the vaccine].

18 (2) **A RELATED INSTITUTION MAY PERMIT ~~A RESIDENT OR~~ AN  
19 EMPLOYEE TO REFUSE TO RECEIVE A VACCINE UNDER THIS SECTION AFTER BEING  
20 FULLY INFORMED BY THE RELATED INSTITUTION OF THE HEALTH RISKS  
21 ASSOCIATED WITH NOT RECEIVING THE VACCINE.**

22 (3) **A RESIDENT IS NOT REQUIRED TO RECEIVE A VACCINE UNDER  
23 THIS SECTION IF:**

24 (I) **THE VACCINE IS MEDICALLY CONTRAINDICATED FOR THE  
25 RESIDENT;**

26 (II) **THE VACCINE IS AGAINST THE RESIDENT'S RELIGIOUS  
27 BELIEFS; OR**

28 (III) **AFTER BEING FULLY INFORMED BY THE RELATED  
29 INSTITUTION OF THE HEALTH RISKS ASSOCIATED WITH NOT RECEIVING A VACCINE,  
30 THE RESIDENT REFUSES THE VACCINE.**

1           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
2   October 1, 2015.

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.