

HOUSE BILL 1045

K3

1lr2774

By: **Delegate Wivell**

Introduced and read first time: February 5, 2021

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Labor and Employment – Elective Medical Procedures – Employee Protections**

3 FOR the purpose of prohibiting an employer from requiring an employee to undergo a
4 certain medical procedure except under certain circumstances; prohibiting an
5 employer from taking a certain action against an employee; and generally relating
6 to employment and medical procedures.

7 BY adding to

8 Article – Labor and Employment

9 Section 3–718

10 Annotated Code of Maryland

11 (2016 Replacement Volume and 2020 Supplement)

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

14 **Article – Labor and Employment**

15 **3–718.**

16 (A) AN EMPLOYER MAY NOT REQUIRE AN EMPLOYEE TO UNDERGO AN
17 ELECTIVE MEDICAL PROCEDURE UNLESS THE PROCEDURE WOULD HAVE A
18 SUBSTANTIAL EFFECT ON THE EMPLOYEE’S CAPACITY OR FITNESS TO PERFORM THE
19 JOB PROPERLY.

20 (B) AN EMPLOYER MAY NOT RETALIATE AGAINST AN EMPLOYEE WHO
21 DECLINES TO UNDERGO AN ELECTIVE MEDICAL PROCEDURE UNDER SUBSECTION
22 (A) OF THIS SECTION.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
2 1, 2021.