A BILL ENTITLED

AN ACT concerning

Labor and Employment – Elective Medical Procedures – Employee Protections

FOR the purpose of prohibiting an employer from requiring an employee to undergo an elective medical procedure except under certain circumstances and from retaliating against an employee who declines to undergo an elective medical procedure; and generally relating to employment and medical procedures.

BY adding to
Article – Labor and Employment
Section 3–718
Annotated Code of Maryland
(2016 Replacement Volume and 2021 Supplement)

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

Article – Labor and Employment

3–718.

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

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.
SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2022.