



## DEPARTMENT OF HEALTH

*Larry Hogan, Governor · Boyd K. Rutherford, Lt. Governor · Robert R. Neall, Secretary*  
January 28, 2020

The Honorable Maggie McIntosh, Chair  
House Appropriations Committee  
House Office Building, Room 121  
Annapolis, MD 21401-1991

### **RE: House Bill 187 – Public Institutions of Higher Education – Outbreak Response Plan – Letter of Support with Amendments**

Dear Chair McIntosh and Committee Members:

The Maryland Department of Health (Department) supports House Bill 187 (HB 187) with technical amendments. We thank the bill sponsor and the co-sponsors for putting a down payment on protecting our citizens at Maryland's colleges and universities.

Marylanders mourned the death of Olivia Paregol at the University of Maryland, College Park last spring. When she passed away from complications after contracting a contagious disease, Governor Hogan made a promise to our university students: Olivia's death would mark the beginning of a new era of transparency. He promised to work with the universities and the University System of Maryland's Board of Regents to create a new culture among Maryland's institutions of higher education. The Governor's letter to the University's Regents is attached.

HB 187 requires universities to develop a process—involving the students and the university community—to communicate vital information about contagious diseases. It is critical that students, staff, and parents know about health concerns that may impact the campus community. HB 187 delivers on the Governor's request that each higher education institution be open and honest with the student body about disease outbreaks on their campuses. We hope that these efforts will lead to vital health protections for university students and staff and we urge the Committee to support this bill.

The Department respectfully suggests the attached technical amendments, which we have discussed with Delegate Peña-Melnyk. We believe that she supports them in concept. If you would like to discuss this further, please contact Director of Governmental Affairs Webster Ye at (410) 260-3190 or [webster.ye@maryland.gov](mailto:webster.ye@maryland.gov).

Sincerely,

Robert R. Neall  
Secretary

## **MDH Amendments to House Bill 187**

### **AMENDMENT NO. 1**

On page 1, strike beginning with “requiring” in line 7 down through “regulations;” in line 9.

#### **RATIONALE:**

The Department already has the authority to regulate pursuant to its general jurisdictional authority. The reporting of outbreaks to the local health department is required by COMAR 10.06.01.04.

### **AMENDMENT NO. 2**

On page 2 in lines 5, 19, 22, and 31, and on page 3 in line 3, in each instance strike “**life-threatening**”.

#### **RATIONALE:**

Universities should be open and honest with their students and staff. It should not take the death of a student for the university to alert families about an illness spreading through campus, whether it is a common cold or meningitis. All contagious diseases can be life-threatening. Common sense should not be overruled by bureaucratic protocol when lives are on the line.

### **AMENDMENT NO. 3**

On page 2, in lines 6, 20, and 22-23, and on page 3 in line 3, in each instance strike “**or similar health emergency**”.

#### **RATIONALE:**

Medical clinicians will ultimately be responsible for determining whether a contagious disease is serious enough to warrant the proposed response plan. We suggest maximum clarity for similar reasons as Amendment No. 2.

### **AMENDMENT NO. 4**

On page 2, in line 32, strike “**or a similar health emergency**”.

### **AMENDMENT NO. 5**

On page 3, in line 6, strike beginning with “**Federal**” through “**networks**” and substitute “**The local health department**”

#### **RATIONALE:**

The Department, along with local health departments, currently assists in developing and implementing control and prevention measures with facilities that report such outbreaks, including institutions of higher education. A direct connection to the Local Health Department aligns with current and nationally accepted disease protocols. Reporting to the local health department will trigger all further appropriate reporting, including to federal and state partners.

**AMENDMENT NO. 6**

On page 3, strike in their entirety lines 11 through 13.

RATIONALE:

Please see Amendment No. 1 rationale.





## STATE OF MARYLAND OFFICE OF THE GOVERNOR

LARRY HOGAN  
GOVERNOR

May 30, 2019

Office of the Board of Regents  
University System of Maryland  
3300 Metzert Road  
Adelphi, MD 20783

To the University System of Maryland Board of Regents:

Following the tragic death of Jordan McNair and the subsequent investigation conducted by the University System of Maryland Board of Regents, I assured the people of this state that my administration would hold the university's leadership accountable for the reforms necessary to ensure student safety is always the top priority at College Park and throughout the system. Mr. McNair's death rightfully prompted multiple investigations and brought to light numerous inadequacies in how the university dealt with a medical emergency. Unfortunately, I am deeply concerned that the University learned nothing from that troubling and tragic episode.

The circumstances surrounding the death of Olivia Paregol deserve to be investigated with the same intensity and purposefulness that the Regents devoted to the passing of Mr. McNair—with particular attention paid to decision making by the leadership of the University, as well as the public health team. Furthermore, this investigation should commence immediately and should examine the events surrounding the outbreak of adenovirus on the University of Maryland, College Park campus last fall, as well as the handling of Ms. Paregol's death specifically.

The Paregol family's grief has been considerably worsened by the lack of urgency—and lack of transparency—shown by university officials before and after Olivia's death. There are serious questions about how this happened, and the families who entrust their children to your care deserve your assurance that they will receive answers.

According to published reports, university officials chose not to disclose confirmed and suspected cases of adenovirus to students and families. Just as, if not more disturbing, is the revelation the university held on to this potentially life-saving information for weeks. It appears that, at just about every turn, leaders withheld information instead of being open and honest with the student body. There must be a full review of these decisions, and of the officials who made them.

University officials hold a higher responsibility to students, faculty, and staff. There should never be a question as to whether the campus community will receive timely and accurate information, especially when it is an urgent matter of public health and safety. It should not take the death of a student for the university to alert families about an illness spreading through campus, whether it is a common cold or meningitis like the university saw in 2014. Caution is sometimes understandable and called for, but common sense should never be overruled by bureaucratic protocol when lives are on the line.

A thorough investigation into the handling of the adenovirus information—including a review of the university's health center—is necessary. It will provide the context and facts needed to move forward. If any officials are found to have been negligent, it is vital that you take swift action. In the interest of transparency, I ask that the findings of this review be released to the public.

I look forward to your prompt response to this request, and am confident you will decide to look into this matter further.

Sincerely,

A handwritten signature in blue ink, appearing to read "Larry Hogan". The signature is fluid and cursive, with the first name "Larry" and the last name "Hogan" clearly distinguishable.

Larry Hogan  
Governor