

# 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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## A BILL ENTITLED

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; and generally relating to immunizations by related  
7 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**

21 18–404.

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

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

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

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

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

7           (e) **(1)** A resident or employee is not required to receive a vaccine under this  
8 section if:

9                   **[(1)] (I)** The vaccine is medically contraindicated for the resident or  
10 employee; **OR**

11                   **[(2)] (II)** The vaccine is against the resident's or employee's religious  
12 beliefs]; or

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

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

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