

Chapter 99

(Senate Bill 329)

AN ACT concerning

**Public Institutions of Higher Education – Outbreak Response Plan
(Olivia’s Law)**

FOR the purpose of requiring a public institution of higher education to submit an outbreak response plan to the Maryland Department of Health on or before a certain date each year; requiring a public institution of higher education to implement the outbreak response plan under certain circumstances; requiring the outbreak response plan to include certain ~~protocols and~~ processes and the provision of certain staff; ~~requiring the Department, in consultation with the Maryland Higher Education Commission, to adopt certain regulations;~~ defining a certain term; and generally relating to public institutions of higher education and outbreak response plans.

BY adding to

Article – Health – General
Section 18–214.2
Annotated Code of Maryland
(2019 Replacement Volume)

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

Article – Health – General

18–214.2.

(A) **(1)** IN THIS SECTION, “PUBLIC INSTITUTION OF HIGHER EDUCATION” MEANS:

~~(1)~~ **(1)** A PUBLIC SENIOR HIGHER EDUCATION INSTITUTION, AS DEFINED IN § 10–101 OF THE EDUCATION ARTICLE; AND

~~(2)~~ **(II)** A COMMUNITY COLLEGE.

(2) **A PUBLIC INSTITUTION OF HIGHER EDUCATION DOES NOT INCLUDE AN INSTITUTION WITHOUT RESIDENTIAL HOUSING OR A HEALTH CENTER.**

(B) **(1)** ON OR BEFORE AUGUST 1 EACH YEAR, BEGINNING IN 2021, EACH PUBLIC INSTITUTION OF HIGHER EDUCATION SHALL SUBMIT AN OUTBREAK RESPONSE PLAN TO THE DEPARTMENT.

(2) IF THERE IS AN OUTBREAK OF A ~~LIFE-THREATENING~~ CONTAGIOUS DISEASE ~~OR SIMILAR HEALTH EMERGENCY~~ AT A PUBLIC INSTITUTION OF HIGHER EDUCATION, THE PUBLIC INSTITUTION OF HIGHER EDUCATION SHALL IMPLEMENT THE OUTBREAK RESPONSE PLAN REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION.

(C) THE OUTBREAK RESPONSE PLAN REQUIRED UNDER SUBSECTION (B) OF THIS SECTION SHALL BE CUSTOMIZED TO THE PUBLIC INSTITUTION OF HIGHER EDUCATION AND INCLUDE:

~~**(1) A PROTOCOL FOR ISOLATING AND COHORTING INFECTED INDIVIDUALS UNTIL A HEALTH CARE PROVIDER DETERMINES THAT THE ISOLATED INDIVIDUAL IS NO LONGER A THREAT TO THE STUDENTS, FACULTY, AND STAFF OF THE PUBLIC INSTITUTION OF HIGHER EDUCATION;**~~

~~**(2)**~~ **(1) A PROCESS FOR EXPEDIENTLY NOTIFYING STUDENTS, FAMILIES OF STUDENTS, FACULTY, AND STAFF OF:**

(I) THE OUTBREAK OF A ~~LIFE-THREATENING~~ CONTAGIOUS DISEASE ~~OR SIMILAR HEALTH EMERGENCY~~;

(II) SUBPOPULATIONS THAT ARE AT HIGH RISK OF SEVERE COMPLICATIONS FROM THE ~~LIFE-THREATENING~~ CONTAGIOUS DISEASE ~~OR SIMILAR~~ ~~HEALTH EMERGENCY~~;

(III) GUIDANCE ON HOW STUDENTS, FAMILIES OF STUDENTS, FACULTY, AND STAFF CAN TAKE REASONABLE PROTECTIVE MEASURES; AND

(IV) INFORMATION ON THE AVAILABILITY OF LABORATORY TESTING FOR STUDENTS, FACULTY, AND STAFF;

~~**(3)**~~ **(2) PROCESSES FOR IMPLEMENTING EVIDENCE-BASED OUTBREAK RESPONSE MEASURES;**

~~**(4)**~~ **(3) THE PROVISION OF STAFF TO SUCCESSFULLY IMPLEMENT THE OUTBREAK RESPONSE PLAN DURING AN OUTBREAK OF A ~~LIFE-THREATENING~~ CONTAGIOUS DISEASE ~~OR A SIMILAR HEALTH EMERGENCY~~ AT THE PUBLIC INSTITUTION OF HIGHER EDUCATION;**

~~**(5)**~~ **(4) A PROCESS FOR REPORTING AN OUTBREAK OF A ~~LIFE-THREATENING~~ CONTAGIOUS DISEASE ~~OR SIMILAR HEALTH EMERGENCY~~ AT THE PUBLIC INSTITUTION OF HIGHER EDUCATION TO:**

(I) THE DEPARTMENT;

(II) ~~FEDERAL AND STATE SURVEILLANCE NETWORKS~~ THE LOCAL HEALTH DEPARTMENT;

(III) CAMPUS HEALTH PROVIDERS;

(IV) LOCAL COMMUNITY HEALTH PROVIDERS; AND

(V) REGIONAL HOSPITALS; AND

~~(6)~~ (5) ANY OTHER MEASURE REQUIRED BY THE DEPARTMENT.

~~(D) THE DEPARTMENT, IN CONSULTATION WITH THE MARYLAND HIGHER EDUCATION COMMISSION, SHALL ADOPT REGULATIONS TO CARRY OUT THIS SECTION.~~

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2020.

Enacted under Article II, § 17(c) of the Maryland Constitution, May 8, 2020.