

# HOUSE BILL 187

J1, F2

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CF SB 329

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By: **Delegates Pena–Melnyk, Lehman, and Reznik**

Introduced and read first time: January 16, 2020

Assigned to: Appropriations

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: February 18, 2020

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

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

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

12 BY adding to  
13 Article – Health – General  
14 Section 18–214.2  
15 Annotated Code of Maryland  
16 (2019 Replacement Volume)

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

19 **Article – Health – General**

20 **18–214.2.**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



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

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

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

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

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

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

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

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

23 ~~(2)~~ (1) A PROCESS FOR EXPEDIENTLY NOTIFYING STUDENTS,  
24 FAMILIES OF STUDENTS, FACULTY, AND STAFF OF:

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

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

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

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

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

5 ~~(4)~~ (3) THE PROVISION OF STAFF TO SUCCESSFULLY IMPLEMENT  
6 THE OUTBREAK RESPONSE PLAN DURING AN OUTBREAK OF A ~~LIFE-THREATENING~~  
7 CONTAGIOUS DISEASE ~~OR A SIMILAR HEALTH EMERGENCY~~ AT THE PUBLIC  
8 INSTITUTION OF HIGHER EDUCATION;

9 ~~(5)~~ (4) A PROCESS FOR REPORTING AN OUTBREAK OF A  
10 ~~LIFE-THREATENING~~ CONTAGIOUS DISEASE ~~OR SIMILAR HEALTH EMERGENCY~~ AT  
11 THE PUBLIC INSTITUTION OF HIGHER EDUCATION TO:

12 (I) THE DEPARTMENT;

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

15 (III) CAMPUS HEALTH PROVIDERS;

16 (IV) LOCAL COMMUNITY HEALTH PROVIDERS; AND

17 (V) REGIONAL HOSPITALS; AND

18 ~~(6)~~ (5) ANY OTHER MEASURE REQUIRED BY THE DEPARTMENT.

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

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