

May 28, 2021

The Honorable Bill Ferguson
President of the Senate
H-107 State House
Annapolis, Maryland 21401

The Honorable Adrienne A. Jones
Speaker of the House
H-101 State House
Annapolis, Maryland 21401

Dear Mr. President and Madam Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, I have vetoed Senate Bill 741 and House Bill 836 – *COVID-19 Testing, Contact Tracing, and Vaccination Act of 2021*. Since I declared a State of Emergency on March 5, 2020, my Administration has taken unprecedented actions to keep Marylanders safe, including administering over six million COVID-19 vaccines, conducting over 10 million COVID-19 tests, and organizing contact tracing operations in all 24 of Maryland’s local jurisdictions. To date, Maryland has invested more than \$1.9 billion in our public health response to the COVID-19 pandemic, and the State has allocated nearly \$800 million directly to local jurisdictions for these efforts.

These misguided bills would revert the State back to the early planning phases of Maryland’s COVID-19 pandemic response efforts by requiring the Maryland Department of Health (MDH) to re-develop its testing, contact tracing, and vaccination plans that have already been serving Marylanders effectively and saving lives for over a year. Additionally, this legislation’s attempt to mandate funds for fiscal years 2021 and 2022 is in direct conflict with the Maryland Constitution, which precludes the General Assembly from mandating spending prior to fiscal year 2023.

Through our comprehensive vaccination program, over 88% of Marylanders over 65 have been vaccinated, and nearly 70% of all adults have received at least one dose – one of the highest rates of vaccination in the country. Maryland will continue to prioritize equity and access until we accomplish our goal of “no arm left behind.” The *New England Journal of Medicine*, one of the most prestigious peer-reviewed medical journals in the world, recently recognized Maryland’s success and the efforts of the Maryland Vaccine Equity Task Force, stating that the task force “has worked diligently to reach the state’s vulnerable communities by partnering with trusted

community, faith-based, and nonprofit organizations.” According to data published by *Bloomberg*, Maryland is one of only five states to vaccinate at least 40% of its Black and Hispanic populations. These successes were the result of careful planning, diligent execution, and valuable partnerships with both public and private entities, including support from many members of the Maryland General Assembly.

Our Administration took unprecedented actions, including sourcing laboratory materials from across the world, to dramatically increase our State’s COVID-19 testing capacity. We have gone from 50 tests per day in early March 2020 to over 50,000 tests in one day. When the number of COVID-19 cases surged this past winter, Maryland was ready to meet the increased testing demand by performing an average of more than 286,000 tests per week. We currently average more than 174,000 tests per week. Since the beginning of the pandemic, more than 10 million total COVID-19 tests have been conducted in Maryland. We will continue these important efforts to ensure that COVID-19 testing resources remain accessible to all Marylanders.

Maryland’s contact tracing program is a collaborative effort led by MDH, in coordination with the State’s 24 local health departments (LHDs). The State Contact Tracing Unit closely monitors performance metrics, such as the proportion of cases with outreach initiated within 24 hours and the proportion of cases who were successfully reached within 24 hours to detect and mitigate local hotspots. By closely coordinating with local jurisdictions, MDH and LHDs can tailor programs to meet the unique needs of each jurisdiction including, directly hiring staff dedicated to contact tracing, redirecting school health nurses and LHD staff to contact tracing, and contracting with outside entities to provide contact tracing services. As the COVID-19 pandemic has evolved, the State Contact Tracing program will continue to adapt to meet each jurisdiction’s specific contact tracing needs.

Our long, hard-fought battle against the deadliest global pandemic in more than a century is finally nearing an end. As we reflect on the hard work and the many sacrifices taken by Marylanders to achieve one of the most effective pandemic responses in the nation and by extension the world, legislation that would require Maryland to turn back the clock to the early planning phases of the pandemic response is counterproductive to our continued progress.

For these reasons, I have vetoed Senate Bill 741 and House Bill 836 – *COVID-19 Testing, Contact Tracing, and Vaccination Act of 2021*.

Sincerely,

Lawrence J. Hogan, Jr.
Governor