

**Department of Legislative Services**  
Maryland General Assembly  
2022 Session

**FISCAL AND POLICY NOTE**  
**First Reader**

House Bill 819 (Delegate Parrott, *et al.*)  
Health and Government Operations

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**Public Health - COVID-19 and Other Influenza-Like Illnesses - Antibody Tests**

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This emergency bill authorizes an individual, except as prohibited by federal law, to show proof of a positive antibody test to satisfy any vaccination requirement – including any requirement established by a State or local governmental entity, employer, educational institution, medical facility, business establishment, nonprofit organization, or event. The bill applies to COVID-19 and other influenza-like illnesses.

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**Fiscal Summary**

**State Effect:** The Maryland Department of Health (MDH) can revise any related regulations to comply with the bill using existing budgeted resources. Baltimore City Community College and public four-year universities can revise policies with existing resources to accommodate those who may not qualify for current exemptions for COVID-19 vaccination. Revenues are not materially affected.

**Local Effect:** Local community colleges can revise policies with existing resources to accommodate those who may not qualify for current exemptions for COVID-19 vaccination. Likewise, local school systems can revise policies to accommodate those who may not qualify for existing exemptions. Revenues are not materially affected.

**Small Business Effect:** Minimal.

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**Analysis**

**Current Law:** “Related institutions” (generally nursing homes and assisted living facilities) must immunize residents and employees against the influenza virus and immunize residents against pneumococcal disease in accordance with recommendations

established by the Advisory Committee on Immunization Practices of the U.S. Centers for Disease Control and Prevention. A resident or employee is not required to receive a vaccine if it is (1) medically contraindicated; (2) against the resident's or employee's religious beliefs; or (3) the resident or employee refuses the vaccine (after being fully informed of the health risks associated with not receiving the vaccine).

An individual enrolled in an institution of higher education who resides in on-campus student housing must be vaccinated against meningococcal disease. An individual is exempt from this requirement if (1) the institution of higher education provides detailed information on the risks associated with meningococcal disease and the availability and effectiveness of any vaccine to the individual or the individual's parent or guardian and (2) the individual or the individual's parent or guardian signs a written waiver that the individual has received and reviewed the information provided and has chosen not to be vaccinated against meningococcal disease.

In addition, State colleges and universities require all students (as well as faculty and staff) to be vaccinated against COVID-19 to be on campus.

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### **Additional Information**

**Prior Introductions:** None.

**Designated Cross File:** SB 943 (Senator Salling) - Rules.

**Information Source(s):** Maryland Department of Health; Maryland Association of County Health Officers; Department of Legislative Services

**Fiscal Note History:** First Reader - March 13, 2022  
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