



HOUSE BILL 1206

Public Health – COVID-19 – Related Order Violations – Notice

TESTIMONY BEFORE THE HOUSE HEALTH AND GOVERNMENT OPERATIONS

Edwin F. Singer, L.E.H.S., MACHO President, Health Officer, Carroll County Health Department

For the Maryland Association of County Health Officers (MACHO)

Position: OPPOSE – March 9, 2021

Madam Chairperson, members of the House Health and Government Operations Committee, on behalf of the Maryland Association of County Health Officers (MACHO), thank you for the opportunity to share our concerns about HB 1206 and what it means for our twenty-four local health departments during a pandemic.

MACHO, which represents the chief executives of the local public health departments in Maryland's twenty-four jurisdictions, **strongly opposes HB 1206.**

While local health departments generally discuss the nature of complaint allegations we receive with the party(ies) involved, we do not disclose the name of the complainant or other details that would enable the party to determine the source of the complaint. This provides protection for both the complainant and the business owner and allows the local health department to investigate to gather the accurate facts of a particular situation. Local health departments do this for any COVID-19 related complaints, or any other complaint received by a local health department. We believe the language in HB 1206, while it prohibits disclosure of the name of a complainant, would require us to potentially provide enough information that the business could identify the complainant, especially if it were made by an employee.

The potential for information leading to the identification of a complainant could cause retaliation by the business owner and discourage complainants from supporting our critical education and enforcement efforts during this deadly pandemic. Discussing a complaint in a general nature, without revealing information that could pinpoint the source of the information, is important to reaching a resolution to any COVID-19 concerns relating to mitigation efforts. This is the normal practice of our local health departments. However, we believe requiring the release of all information except the complainant's name would adversely impact our efforts to control the spread of this deadly virus. It is also critical that complaints with no basis be eliminated quickly.

HB 1206 requires that any anonymous complaint be reported to the business owner by the Health Officer themselves within at twenty-four-hour time period. We are concerned about the additional burden placed on already overburdened Health Officers to provide this notification and in this time period. Often these types of complaints require further investigation and research to determine if there is any merit to investigating a complaint. Requiring Health Officers to engage a business owner within 24 hours would unnecessarily detract from our other emergency response duties related to this pandemic, including vaccinations, outbreak investigations, contact tracing, COVID-19 testing, and a multitude of other activities.

We believe HB 1206 unnecessarily detracts from our ability as the entity charged with ensuring the health and safety of our communities to limit the spread of COVID-19 and our other responsibilities as incident commanders for this and future public health emergencies.

If you have questions concerning this testimony, please contact Ruth Maiorana, MACHO's Executive Director, at 410-937-1433 or rmaiora1@jhu.edu.