

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1977.

Approved April 29, 1977.

CHAPTER 238

(Senate Bill 1147)

AN ACT concerning

Immunization Projects

FOR the purpose of providing that certain people participating in certain immunization projects authorized by certain people are not liable for certain effects arising from use of the drug or vaccine used in the project; providing that certain persons are not liable for certain adverse effects from certain drugs or vaccines in certain situations generally; and providing certain exceptions to the provisions of this section.

BY adding to

Article 43 - Health
Section 132B
Annotated Code of Maryland
(1971 Replacement Volume and 1976 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That new Section 132B be and it is hereby added to Article 43 - Health, of the Annotated Code of Maryland (1971 Replacement Volume and 1976 Supplement) to read as follows:

Article 43 - Health

132B.

(A) IF THE SECRETARY OF HEALTH AND MENTAL HYGIENE OR HIS DESIGNEE APPROVES, IN WRITING, AN IMMUNIZATION PROJECT TO BE ADMINISTERED IN ANY PART OF THE STATE, EITHER BY DIRECT STATE ACTION OR IN COOPERATION WITH AN OFFICIAL OR VOLUNTARY MEDICAL OR HEALTH AGENCY, A PHYSICIAN, NURSE OR ANY OTHER PERSON PARTICIPATING IN THE PROJECT IS NOT LIABLE FOR ANY ILLNESS, REACTION, OR ADVERSE EFFECT ARISING FROM THE USE OF A DRUG OR VACCINE USED IN THE PROJECT. THE SECRETARY OR HIS DESIGNEE MAY NOT APPROVE AN IMMUNIZATION PROJECT UNLESS HE FINDS THAT IT CONFORMS TO GOOD MEDICAL AND PUBLIC HEALTH PRACTICE.