

The Commission to Revise the Annotated Code notes, for consideration by the General Assembly, that there is a question as to the constitutionality of subsections (b) and (c)(2) of this section since the possibility exists that an individual may be held indefinitely.

The Commission also notes that it was unclear whether the prohibitions now revised in subsection (c) of this section were meant to apply to individuals who enter the health facility voluntarily. In subsection (c) of this section, as revised, the prohibitions apply only to an individual ordered to a health facility under this section.

Defined terms: "County" § 1-101
 "Health officer" § 1-101 "Physician" § 1-101
 "Secretary" § 1-101

GENERAL REVISOR'S NOTE:

Former Article 43, § 96, which transferred tuberculosis treatment facilities to this State and provided for their control and supervision, is deleted as obsolete. The transfer of the facilities to this State was accomplished. However, the facilities no longer are used only as tuberculosis treatment facilities. To close the last tuberculosis treatment facility, patients were transferred to health facilities that, in addition to their other services, were able to provide treatment for tuberculosis.

SUBTITLE 4. MISCELLANEOUS PROVISIONS.

18-401. DRUGS AND VACCINES.

(A) IN GENERAL.

EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, A PERSON LAWFULLY ADMINISTERING A DRUG OR VACCINE IS NOT LIABLE FOR ANY ADVERSE EFFECT THAT ARISES FROM THE USE OF THE DRUG OR VACCINE IF THE DRUG OR VACCINE:

(1) IS ADMINISTERED TO IMMUNIZE AN INDIVIDUAL AGAINST A DISEASE; OR

(2) IS APPROVED BY THE UNITED STATES FOOD AND DRUG ADMINISTRATION FOR THE PURPOSE FOR WHICH THE DRUG OR VACCINE IS ADMINISTERED.

(B) IMMUNIZATION PROJECTS.

EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, IF THE SECRETARY OR A DESIGNEE OF THE SECRETARY FINDS THAT A PROPOSED IMMUNIZATION PROJECT WOULD CONFORM TO GOOD MEDICAL