SHALL PERIODICALLY REVISE AND UPDATE THE INFORMATION REQUIRED BY § 18-329 AND THE ~~REGULATIONS~~ GUIDELINES ADOPTED UNDER § 18-332 OF THIS SUBTITLE.

(C) (1) THE DEPARTMENT SHALL REPORT TO THE UNITED STATES CENTERS FOR DISEASE CONTROL ALL INFORMATION COLLECTED UNDER § 18-331(A), INCLUDING THAT RECEIVED UNDER § 18-330(B) OF THIS SUBTITLE.

(2) SUBJECT TO § 2-1312 OF THE STATE GOVERNMENT ARTICLE, THE DEPARTMENT SHALL REPORT ANNUALLY TO THE GENERAL ASSEMBLY ON THE INCIDENCE OF PERTUSSIS AND OF MAJOR ADVERSE REACTIONS TO PERTUSSIS VACCINE.

18-332.

(A) THE DEPARTMENT SHALL ADOPT ~~REGULATIONS~~ GUIDELINES, AFTER NOTICE AND PUBLIC HEARING IN ACCORDANCE WITH THE ADMINISTRATIVE PROCEDURE ACT, SETTING FORTH:

(1) THE CIRCUMSTANCES UNDER WHICH PERTUSSIS VACCINE SHOULD NOT BE ADMINISTERED;

(2) THE CIRCUMSTANCES UNDER WHICH ADMINISTRATION OF THE VACCINE SHOULD BE DELAYED; ~~AND~~

(3) ANY CATEGORIES OF POTENTIAL RECIPIENTS WHO ARE SIGNIFICANTLY MORE VULNERABLE TO MAJOR ADVERSE REACTIONS THAN IS THE GENERAL POPULATION~~.~~; AND

(4) PROCEDURES TO NOTIFY ALL PHYSICIANS OF THE CONTENT OF THE FINAL GUIDELINES AND ALL UPDATES ISSUED THEREAFTER.

(B) THE ADMINISTRATION OF PERTUSSIS VACCINE TO AN INDIVIDUAL MAY NOT BE REQUIRED BY ANY PROVISION OF LAW IF, IN THE PHYSICIAN'S MEDICAL JUDGMENT:

(1) THE CIRCUMSTANCES SPECIFIED UNDER SUBSECTION (A)(1) OR (2) OF THIS SECTION ARE PRESENT; OR

~~(2) THE POTENTIAL RECIPIENT IS IN ONE OF THE CATEGORIES SPECIFIED UNDER SUBSECTION (A)(3) OF THIS SECTION, AND~~

(2) TAKING INTO ACCOUNT THE INFORMATION SPECIFIED UNDER SUBSECTION (A) (3) OF THIS SECTION AS WELL AS ALL OTHER RELEVANT INFORMATION, AND THE RISK TO THE POTENTIAL RECIPIENT OUTWEIGHS THE BENEFITS BOTH TO THE POTENTIAL RECIPIENT AND TO THE PUBLIC IN ADMINISTERING THE VACCINE.

(C) NOTHING IN THIS SECTION SHALL BE CONSTRUED TO AFFECT ANY EMERGENCY AUTHORITY OF THE SECRETARY UNDER ANY OTHER PROVISION OF LAW TO PROTECT THE PUBLIC HEALTH.

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