

Article 89 - Division of Labor and Industry

32H.

(a) An employer shall submit a copy of the chemical information list and a copy of each material safety data sheet to the Maryland Department of Health and Mental Hygiene, within 15 days of its obtention or revision.

(b) The Maryland Department of Health and Mental Hygiene shall:

(1) Review the material safety data sheet submitted to determine completeness and sufficiency, notifying the Commissioner of any noncompliance;

(2) Maintain information contained on all chemical information lists for 40 years and shall only provide access to information on chemical information lists to the following:

(i) Persons providing fire, ambulance, or rescue services for the appropriate geographic area;

(ii) Treating physicians, nurses, or physicians' assistants in medical emergency situations;

(iii) Former employees of inactive employers;

(iv) The Commissioner; and

(v) An independent contractor or employer as provided in § 32K of this subtitle.

(3) Except as provided in this subsection AND IN § 6-503 OF THE HEALTH - ENVIRONMENTAL ARTICLE, information contained in chemical information lists shall be privileged and may not be disclosed by the Department of Health and Mental Hygiene to any person or in any civil proceeding.

SECTION 2. AND BE IT FURTHER ENACTED, That if any provision of this Act or the application thereof to any person or circumstance is held invalid for any reason in a court of competent jurisdiction, the invalidity does not affect other provisions or any other application of this Act which can be given effect without the invalid provision or application, and for this purpose the provisions of this Act are declared severable.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect ~~July-1~~ November-25,-1985 January 1, 1986.

Approved May 28, 1985.

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