

individuals against the influenza virus and certain individuals against the pneumococcal disease and the influenza virus in accordance with certain standards and within certain time frames; requiring certain related institutions to obtain certain consent from certain individuals prior to administering an immunization; requiring certain related institutions to document certain information; requiring certain related institutions to provide certain information to certain individuals; establishing certain exemptions; defining certain terms; and generally relating to certain related institutions immunizing certain individuals against the influenza virus and certain individuals against the pneumococcal disease and the influenza virus.

BY adding to

Article - Health - General
 Section 18-404
 Annotated Code of Maryland
 (1994 Replacement Volume and 1999 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article - Health - General

18-404.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) "EMPLOYEE" MEANS AN INDIVIDUAL EMPLOYED FULL-TIME OR PART-TIME DIRECTLY, THROUGH CONTRACT WITH ANOTHER ENTITY, OR AS AN INDEPENDENT CONTRACTOR, BY A RELATED INSTITUTION.

(3) "RELATED INSTITUTION" HAS THE MEANING PROVIDED UNDER § 19-301(O) OF THIS ARTICLE.

(4) "MEDICALLY CONTRAINDICATED" MEANS THAT A MEDICAL TREATMENT IS POTENTIALLY DETRIMENTAL TO THE HEALTH OF THE INDIVIDUAL INTENDED TO BE TREATED.

(B) (1) SUBJECT TO SUBSECTION (E) OF THIS SECTION, EACH RELATED INSTITUTION IN THE STATE SHALL IMMUNIZE RESIDENTS ~~AND EMPLOYEES~~ AGAINST THE INFLUENZA VIRUS AND PNEUMOCOCCAL DISEASE.

(2) SUBJECT TO SUBSECTION (E) OF THIS SECTION, EACH RELATED INSTITUTION IN THE STATE SHALL IMMUNIZE EMPLOYEES AGAINST THE INFLUENZA VIRUS.

~~(2)~~ (3) BEFORE AN IMMUNIZATION UNDER THIS SECTION IS ADMINISTERED, THE RELATED INSTITUTION SHALL OBTAIN WRITTEN CONSENT TO ADMINISTER THE IMMUNIZATION FROM:

(I) THE RESIDENT OR EMPLOYEE RECEIVING THE IMMUNIZATION;

OR