

Public Health Laws and Regulations in Maryland - July 2013

Topic	Public Health Area	Law/ Reg Citation	Description/ Role Public Health Agency
Air - Indoor air/ Smoking	Environment	COMAR 10.19.04	Prohibition of Smoking in Indoor Areas Open to the Public; LHD investigate complaints
Air - Open Burning	Environment	COMAR 26.11.07	Prohibits the start of an open fire without the proper permit and control officer approval. LHD may review and issue permits; investigate complaints
Animal - vector control	Animal control	consult local ordinance	Local public health agency may respond to rodent complaints; mosquito control; investigate animal hoarding, vermin/ insect infestations; West Nile Virus investigations; Lyme Disease awareness
Animal - Rabies	Animal control	COMAR 10.06.02	LHD investigates animal attacks involving humans; collects and sends animal specimens; enforces quarantine periods; conducts vaccination clinics
Building - issue permits	Environment	COMAR 26.04.02	LHD signs off on plans and issues building permits
Building - Plan Review	Environment	COMAR 26.04.03	LHD review site plans for major projects; public water and sewer site plan review; final plat review
Camps - Campgrounds	Environment	COMAR 10.16.03	LHD performs inspections, investigates complaints and issues permits for campgrounds
Camps - Youth Camps	Environment	COMAR 10.16.06	Certifications for youth camps
<u>Disease Control - AIDS Investigations and Case Reporting</u>	AIDS/ HIV	COMAR 10.18.03	Lists requirements for reporting a case of acquired immunodeficiency syndrome (AIDS) and health officer follow-up of a physician report of AIDS
<u>Disease Control - HIV and CD4+Lymphocyte Investigations and Case Reporting</u>	AIDS/ HIV	COMAR 10.18.02	Requirements for physician reporting of a case of HIV or AIDS/ birth of an infant whose mother has tested positive for HIV; Institution reporting of a case of HIV or AIDS; Laboratory reporting of a test result for HIV infection or CD4+ count; and health officer follow-up of a physician report of AIDS

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Disease Control - HIV Counseling and Testing for Pregnant Women	AIDS/ HIV	COMAR 10.18.09	Requirements for counseling and requirements for informed consent when HIV testing is performed on pregnant women
Disease Control - HIV Counseling and Testing Procedures	AIDS/ HIV	COMAR 10.18.08	Requirements for pretest and post-test counseling and requirements for informed consent when HIV testing is performed
Disease Control - HIV testing for Convicted	AIDS/ HIV		HIV Testing of Persons Accused or Convicted, or Both, of Certain Crimes
Disease control - reportable diseases	Epi/ Comm Dis Control	COMAR 10.06.01.03	List of Reportable Diseases and Conditions which health care providers, institutions and others are required to report.
Disease control - sexually transmitted infections	Sexually Transmitted infections	COMAR 10.09.72	LHD provides STD clinical services for screening, diagnosis, partner identification and treatment
Disease control - STI testing and contact tracing	Sexually Transmitted infections	COMAR 10.06.17 and .18	LHD must assure clients and their contacts that have or have been exposed to certain reportable STDs obtain appropriate treatment and follow-up and all info is entered into state database
Disease control - tuberculosis	Epi/ Comm Dis Control	10.06.01.21	LHD must assure that individuals are assessed and treated per protocol and LHD must investigate contacts and treat accordingly - info entered into State database
Facility application - adult day care	Adult Health	COMAR 10.12.04 and 26.04.04	A person may not establish, operate, or continue the operation of an adult daycare center without first obtaining a license from the State
Facility application - assisted living	Adult Health	COMAR 10.07.14 and 26.04.02	State requirements and licensing procedures for operating an assisted living facility that promotes health, safety and maximizes independence.
Food - Bottle Water	Environment	COMAR 10.15.11	Procedures for obtaining proper permits for bottling and dispersing drinking water from spring construction to unit processing operations. State is responsible.

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Food - Canning	Environment	COMAR 10.15.01	Requirements for operation of canning and acidified food manufacturing plants. State is responsible.
Food - Crab Meat	Environment	COMAR 10.15.02	Processing regulations to ensure safe and sanitary crab meat and working conditions for employees. State is responsible.
Food - Food and Drink Processing and Transportation	Environment	COMAR 10.15.04	Processing, producing, transporting and/or storing items for human consumption must be handled using sanitary practices. State is responsible.
Food - Food Service Facilities	Food	COMAR 10.15.03	Public health agency assures that food service facilities serve food that is safe for human consumption, that buildings meet proper standards for cleanliness, agency conducts inspections, provides training, issues food service facility licenses and conducts food service facility plan reviews. State and local health dept have roles.
Food - Frozen Dairy Foods	Environment	COMAR 10.15.04	Manufacture and Sale of Frozen Dairy Foods and Ices Manufactured for Sale in Maryland; State is responsible.
Food - Manufactured Grade Milk	Environment	COMAR 10.15.07	Production, Processing, Transportation, Storage, and Distribution of Manufactured Grade Milk. State is responsible.
Food - Milk	Environment	COMAR 10.15.05	Production, Processing, Transportation, Storage, and Distribution of Milk. State is responsible.
Food - Seafood	Environment	COMAR 10.15.09	Procedures for the Safe Handling and Processing of Seafood. State is responsible.
Food - Shellfish	Environment	COMAR 10.15.06	Requirementst for processing, handling shellfish which are sold for human consumption. State is responsible.
Food Borne Illness investigations	Food	COMAR 10.06.01 & 10.15.03	LHD investigates foodborne and water borne illnesses related to food service facilities and within institutional facilities; State and local health depts have roles.
Funding - State Funding for Local Health Services	Environment	COMAR 10.04.01	Amounts of State General funds to be provided to LHD for Core Public Health Services

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Hazard investigation - PH or EH	Environment	Environ. Article §10-201	The local Health Officer has the authority to investigate any condition that dangerous to human health and to inspect schools, places of employment and businesses.
Hazards - Controlled Dangerous Substances	Environment	COMAR 10.19.03	Regulation for the state health agency to control the manufacturing, distributing, and use of controlled, dangerous substances. State is responsible.
Hazards - Hazardous substances	Environment	COMAR 10.19.02	All provisions of 16 Code of Federal Regulations Part 1500 and 1505 apply; State and local health depts have roles.
Hazards - Poison Prevention Packaging	Dangerous Devices and Substances	COMAR 10.19.06	All provisions of Code 16 of Federal Regulations Part 1700 apply. State is responsible.
Hotel/ motel	Environment	Health– General §20-301	LHD investigates complains regarding hotels and motels
Immunizations - Meningococcal Vaccination Requirements	Epi/ Comm Dis Control	COMAR 10.06.05	Requirements for meningococcal vaccination of individuals enrolled in institutions of higher education who are living in on-campus student housing.
Immunizations - required before entry into school	Epi/ Comm Dis Control	COMAR 10.06.04	A school may not knowingly admit or retain a student unless the student's parent or guardian has furnished evidence of age-appropriate immunity
Inspections - Other (Burn Sites, Pet Stores, Sludge, etc.)	Environment	COMAR 26.11.07, 26.04.02 & .06	Regulation of water supply, sewage disposal, and solid waste. Requirements for permits, construction and design. State and local health depts have roles.
Lead Paint poisoning investigations	Environment	COMAR 26.02.07, 26.16.02 and 26.16.05	Regulations for appropriate techniques for abatement of lead-containing substances from interior and certain exterior surfaces in residential areas and day care properties

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Mobile Home Park License	Environment	COMAR 10.16.02	LHD performs inspections, investigates complains and issues permits for mobile home parks
Nuisance Complaints - Public Health	Environment	Environ. Article 10-201	LHD follows up on nuisance complaints
Other Licenses (Camps, Institutional, Pet Shops, etc.)	Environment	COMAR 10.16.01,03, & .05	Regulations protecting the public health and safety of occupants of migratory labor camps. Secretary has the authority to enter and inspoect camp grounds to ensure that all requirements are met.
Outdoor music festivals	Housing	COMAR 10.16.05	LHD evaluates plans and inspects outdoor music festivals
Quarentine	Epi/ Comm Dis Control	Health - General §18-901	Health official may issue a directive to an individual or a group to go and remain in places of isolation or quarantine
Solid waste - general	Environment	consult local ordinance	investigate complaints; review sewage and sludge applications and sites; review demolition permits
Solid Waste - septic systems	Environment	COMAR 26.04.02 & .05	review applications; issue permits; provide installation inspection; investigate failing systems
Solid Waste - special medical waste	Environment	COMAR 10.06.06	Applies to entities which generate and handle special medical waste or sharps. Also applies to entities which treat and dispose of special medical waste.
Swimming Pool, Spa Licenses	Environment	COMAR 10.17.01	Regulations to protect and promote the health and safety of those using public pools or spas including standards of construction and disinfecting.
Swimming Pool, Spa, Bathing Beach Inspections	Environment	COMAR 10.17.01,26.04.01 & 09	The Department of the Environment is responsible for issuing permits and enforcing regulations on public water systems, natural wood waste recycling facilities, public pools and public spas
Swimming/ Bathing Beach Licenses	Environment	COMAR 26.08.09	Requirements for annual permit of operation of public beaches including sanitation quality of facilities and waters
Tanning - Use of Tanning Devices by Minors		COMAR 10.52.06	Use of Tanning Devices by Minors

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Tattoo/ body piercing	Consumer Protection	COMAR 10.06.06G and 10.06.01.06H	Regulations on handling and disposing of sharp waste object that have come in contact with bodily materials. Also tattoo and body piercing shop should follow requirements of the Health Officer as both procedures carry risks.
Tobacco - smoking in public	Tobacco	COMAR 10.19.04	Prohibition of Smoking in Indoor Areas Open to the Public; LHD investigate complaints
Tobacco - youth tobacco sales	Tobacco	Political Subdivisions § 15-102.1	A person may not distribute any tobacco products to a minor, unless the minor is acting solely as the agent of the minor's
Transportation safety - Bike helmets	Injury prevention	Transportation Article § 21-1207.1	Helmets are required for everyone under the age of 16, including passengers, who ride their bicycles on the road,
Transportation safety - Bike traffic	Injury prevention	Transportation Article § 21-1202	Maryland's traffic laws apply to bicycles and motor scooters.
Transportation safety - child safety seats	Injury prevention		All children younger than eight years of age must be secured in a federally approved child safety seat unless the child is 4 feet, 9 inches or taller. The child restraint must be right for the child's size, age, and weight.
Transportation safety - pedestrians	Injury prevention	Transportation Article § 21, Subtitle 5	Pedestrians rights and rules
Transportation safety - seat belts	Injury prevention		All drivers and front seat passengers must wear seat belts.
Vital Records - Birth Certificates	Records	Health— General Section 4-204	Birth, death, and fetal death certificate copies
Water - Certificate of Potability	Environment	COMAR 26.04.04	Regulations establishing the standards and procedures applicable to the construction of wells.
Water - emergency	Environment	COMAR 26.04.01	LHD assures supply of fresh water in an emergency
Water - Percolation Testing	Environment	COMAR 26.04.02	LHD performs percolation testing and soil analysis; site plan review; ground water monitoring
Water - Well Construction	Environment	COMAR 26.04.04	LHD issues permits and conducts inspections

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Authority - County Board of Health powers and duties	Authority		
Authority - Local Health Officer	Authority	Health - General §3-301 to §3-309	Local health officer powers and duties
Authority - County Board of Health	Authority	Health - General §3-301 to §3-309	County Board of Health powers and duties
Emergency - Catastrophic Health Emergency	Emergency	COMAR 10.59.01	Requirements and standards for isolation and quarantine.
Emergency - access to potable water	Environment	COMAR 26.04.01	LHD assures supply of fresh water in an emergency
Emergency - Quarantine	Epi/ Comm Dis Control	Health - General §18-901	Health official may issue a directive to an individual or a group to go and remain in places of isolation or quarantine
Birth Certificates	Records	Health— General Section 4-204	Public health agency provides copies of Birth, death, and fetal death certificates
	Animal control		Public health agency inspects pet stores for compliance with reptile caution notices, exotic bird records, humane and sanitary conditions
Pets - store inspections	Animal control	Health - General §24-101 to 24-110	Public health agency inspects exotic bird records and issues permits
Pets - exotic bird permits	Animal control	COMAR 10.06.02	LHD investigates animal attacks involving humans; collects and sends animal specimens; enforces quarantine periods; conducts vaccination clinics
Pets - rabies control			