



AMENDED DIRECTIVE AND ORDER REGARDING VACCINATION

MATTERS Pursuant to Health General Article §§ 18-102, 18-103, 18-109 and

COMAR 10.06.01.06

MDH No. 2023-04-18-03

With the end of the Federal Public Health Emergency and continued push to make COVID-19 operations a part of routine operations in Maryland’s healthcare system, I, Laura Herrera Scott, Secretary of Health, finding it necessary for the continued prevention and control of 2019 Novel Coronavirus and the disease that it causes (“SARS-CoV-2” or “2019-NCoV” or “COVID-19”), and for the protection of the health and safety of patients, staff, and other individuals in Maryland, hereby authorize and order the following actions for the prevention and control of the spread of this infectious and contagious disease that endangers public health in this State.

This Amended Directive and Order replaces and supersedes the Directive and Order Regarding Vaccination Matters, dated January 18, 2023, June 27, 2022, December 15, 2021, September 08, 2021, August 18, 2021, August 5, 2021, June 15, 2021, March 22, 2021, February 4, 2021, January 21, 2021, January 14, 2021, January 1, 2021, and December 8, 2020.

1. **Definitions**

- A. “Vaccination Site” means any location at which COVID-19 vaccinations are offered to the public in accordance with the State of Maryland’s Vaccination Plan and includes, but is not limited to, the offices of health care practitioners, local health departments, pharmacies, urgent care centers, and any event at which vaccinations are offered in accordance with the State of Maryland’s Vaccination Plan or any other site or location within Maryland as designated by the Maryland Department of Health.
- B. “COVID-19 Vaccine(s)” means any COVID-19 vaccine that has U.S. Food and Drug Administration (FDA) approval or has been granted an Emergency Use Authorization from the FDA.

2. **Personnel Who May Administer Vaccines**

The following individuals may administer COVID-19 vaccines at vaccination sites:

- A. Health care practitioners licensed, certified, or registered under the provisions of the Health Occupations Article whose scope of practice includes the administration of vaccines;
- B. Other individuals provided that:
 - i. Each individual has successfully completed training on the administration of COVID-19 vaccines;
 - ii. Qualified supervisory personnel at the vaccination site reasonably determine that each individual is able to administer COVID-19 vaccines under appropriate supervision; and
 - iii. The individual administers the COVID-19 vaccine at the vaccination site under the reasonable supervision of qualified supervisory personnel; and
- C. Covered persons as defined in the [Declaration under the Public Readiness and Emergency Preparedness Act for Medical Countermeasures Against COVID-19 and nine amendments to the Declaration](#) (October 4, 2021) or as subsequently amended by the Secretary of the U.S. Department of Health and Human Services.

3. **Facilities that Require Proof of Vaccination Status**

- A. **Vaccine Requirement:** All staff of the facilities listed in paragraph 3B are required to show proof of COVID-19 vaccination, as determined by each facility's management. Staff includes, but is not limited to, regular and contractual employees, contractual staff, volunteers, and other state employees performing any duties at the facility.
- B. **Facilities:**
 - i. All hospitals and residential facilities operated by the Maryland Department of Health or any local health department.
- C. **Failure to comply:**
 - i. Failure to meet the requirements of Section 3A will be required to wear appropriate personal protective equipment, as determined by each facility's management, in consultation with the relevant federal and state guidance, while on the facility's premises.
- D. **Reasonable Accommodation Requests**
 - i. A staff individual may request an accommodation by providing appropriate and sufficient documentation for bona fide medical or religious reasons. This request for an accommodation shall be made to and

reviewed and documented by the requesting staff's agency Equal Employment Opportunity/Fair Practices office.

4. Penalties

Persons who violate this Order and Directive may face administrative and criminal sanctions.

5. Severability

If any provision of this Directive and Order or its application to any person, entity, or circumstance is held invalid by any court of competent jurisdiction, all other provisions or applications of this Directive and Order shall remain in effect to the extent possible without the invalid provision or application. To achieve this purpose, the provisions of this Directive and Order are severable.

THESE DIRECTIVES AND ORDERS ARE ISSUED UNDER MY HAND THIS 18TH DAY OF APRIL 2023 AND ARE EFFECTIVE IMMEDIATELY.



Laura Herrera Scott, MD, MPH
Secretary