



Public Health Laws are regulations created by the executive branch agencies. Executive branch agencies have the authority to make laws based on statutes passed by the legislatures. Agencies can only make regulations on the subjects that are dictated by the statutes. Regulations explain the details necessary to implement public health laws. Generally, you may read regulations together with the statutes under which they were made.

Regulations are published in subject arrangements called codes. You can find regulations in print and online. **Maryland Code of Regulations often referred to as the COMAR** is the official compilation of all administrative regulations issued by the agencies of the State of Maryland.

COMAR is arranged in Volumes with title number marked on each volume. Each title number represents a State department, e.g Title 10 is the Maryland Department of Health. COMAR regulations are arranged in one numeric sequence by codification number throughout the entire set. Elements in each number represent the department and its agencies and subdivisions responsible for each regulation.

An example of a COMAR regulation number is COMAR 10.06.01.01:

- ★ 10 Title – Maryland Department of Health
- ★ 06 Subtitle – Diseases
- ★ 01 Chapter – Communicable Diseases and Related Conditions of Public Health Importance
- ★ 01 Regulation – These numbers are expanded when greater detail is required

This reference document outlines public health laws and regulations in the State of Maryland. **Acronym Glossary:**

- AIDS:- Acquired Immunodeficiency Syndrome
- CBD:- Cannabidiol
- COMAR: Code of Maryland Regulations
- HIV: Human Immunodeficiency Virus
- LHD: Local Health Department
- MDE: Maryland Department of Environment
- MDH: Maryland Department of Health
- OSDS: On-Site Sewage Disposal System
- STD: Sexually Transmitted Disease
- STI: Sexually Transmitted Infection

Public Health Laws and Regulations in Maryland

Topic	Public Health Arena	Regulation or Law Citation	Public Health Agency's Role
Ambient Air Quality Standards	Environmental Protection	COMAR 26.11.06	Investigates outdoor air quality complaints. Educates the public on a variety of air pollution subjects including radon, asbestos, ozone, etc.
Air- Indoor Smoking	Environmental Protection	COMAR 10.19.04	Prohibition of Smoking in indoor areas open to the public; LHD investigate complaints
Air - Open Fires/Burning	Environmental Protection	COMAR 26.11.07	.Prohibits the start of an open fire without the proper permit and control officer approval. LHDs may review and issue open burning permits; investigate complaints
Animal - Rabies Control Program	Animal Control	COMAR 10.06.02	LHD investigates animal attacks involving humans and animals; collects and animal specimens; enforces quarantine periods; conducts vaccination clinics

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Animal - Vector Control	Animal Control	SMCHD Local Ordinance - Animal Control SMCHD Vector Control Guidance	LHDs may respond to rodent complaints; mosquito control; investigate animal hoarding, vermon/ insect infestations; West Nile virus investigations; Lyme disease awareness
Bathing Beaches Public	Environmental Protection	COMAR 26.08.09	Conduct sanitary surveys of permitted bathing beaches, issue permits, and conduct surveillance water sampling. Close permitted beaches when public bathing beaches pose a risk
Building - Issue Permits	Environmental Protection	COMAR 26.04.02	LHD signs off plans reviews residential building permits served by OSDS and/or wells and commercial building permits ensuring all health laws are met
Building - Plan Review	Environmental Protection	COMAR 26.04.03	LHD review site plans for major projects; public water and sewer site plan review; final plat review
Camps - Campgrounds	Environmental Protection	COMAR 10.16.03	LHD performs inspections, investigates complaints and issues permits for campgrounds
Camps - Youth Camps	Environmental Protection	COMAR 10.16.06	Certifications for youth camps

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Child Protective Services - Investigation of Child Abuse and Neglect	Human Social Services Administration	COMAR 07.02.07	Child Protective Services will establish protocols for LHDs to obtain, identify and investigate child abuse and neglect; comprehensively assess child's safety, risk and service needs; and provide services or service referrals for abused or neglected children and their families. Within 24 hours, LHDs will a) Assess the immediate safety and risk of maltreatment of the alleged victim and of the children who are household or family members of the alleged victim or in the care or custody of the alleged maltreater;b) Determine if the alleged child abuse or neglect or any other child abuse or neglect is indicated, unsubstantiated, or ruled out.
Disease Control - HIV and CD4 Lymphocyte Investigations and Case Reporting	AIDS/HIV	COMAR 10.18.02	Requirements for physician reporting of a case of HIV or AIDS, or birth of an infant whose mother has tested positive for HIV; Institution reporting of a case of HIV or AIDS; Lab reporting of a test result for HIV infection or CD4 count; health officer follow up of a physician report of AIDS

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Topic	Public Health Arena	Regulation or Law Citation	Public Health Agency's Role
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 and Hepatitis C Testing for Convicted or Accused	AIDS/HIV	COMAR 10.52.10	HIV and Hepatitis C testing of persons accused or convicted, or both, of certain crimes
Disease Control - Communicable and Reportable Diseases of Public Health Importance	Epidemiology / Communicable Diseases Control	COMAR 10.16.01.03	List of reportable diseases and conditions which health care providers, institutions, and others are required to report

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Disease Control - Sexually Transmitted Infections (STIs)	Sexually Transmitted Infections	COMAR 10.06.07	LHD provides list of clinical services for screening, diagnosis, partner identification, and treatment of chlamydia, gonorrhea, and trichomoniasis
Disease Control - STI Testing and Contact Tracing	Sexually Transmitted Infections	COMAR 10.16.01.17	LHD provides STD clinical services for screening, diagnosis, partner identification, and treatment
Disease Control - Tuberculosis	Epidemiology / Communicable Disease Control	COMAR 10.16.01.20	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 - Day Care for the Elderly and Adults with a Medical Disability	COMAR 10.12.04	A person may not establish, operate, or continue the operation of a center without first obtaining a license from the State. A person desiring to obtain initial licensure for an adult day care center shall submit a letter of interest to the Office of Health Care Quality.

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Facility Application - Assisted Living	Adult Health - Assisted Living Programs	COMAR 10.07.14	State requirements and licensing procedures for operating an assisted living facility that promotes health, safety and maximizes independence
Food - Bottle Water	Food	COMAR 10.15.11	Procedures for obtaining proper permits for bottling and dispersing drinking water from spring construction to unit processing operations
Food - Low Acid and Acidified Food Canning	Food	COMAR 10.15.01	Requirements for licensing and operation of canning and acidified food manufacturing plants
Food - Crab Meat	Food	COMAR 10.15.02	Processing regulations to ensure safe and sanitary crab meat and working conditions for employees
Food - Food and Drink Processing and Transportation	Food	COMAR 10.15.04	Processing, producing, transporting, and/or storing items for human consumption must be handled using sanitary practices
Food - Food Service Facilities	Food	COMAR 10.15.03	Ensuring food service facilities serve food that is safe for human consumption, buildings meet proper standards for cleanliness, agency conducts inspections, provides training, issues food service facility licenses and conducts food service facility plan reviews

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Topic	Public Health Arena	Regulation or Law Citation	Public Health Agency's Role
Food - Manufacture and Sale of Frozen Dairy Foods and Ices	Food	COMAR 10.15.05	Manufacture and Sale of Frozen Dairy Foods and Ices Manufactured for Sale in Maryland
Food - Pasteurized Grade A Milk	Food	COMAR 10.15.06	Production, Processing, Transportation, Storage, and Distribution of Grade A Milk
Food - Production, Processing, Transportation, Storage, and Distribution of Manufactured Grade Milk	Food	COMAR 10.15.09	Licensing and inspection of manufactured grade dairy farms and milk facilities that produce, process, transport, store, or distribute manufactured grade milk or milk products
Food - Seafood	Food	COMAR 10.15.10	Procedures for the safe handling and processing of seafood
Food - Shellfish Sanitation	Food	COMAR 10.15.07	Requirements for handling, harvesting, and processing shellfish sold for human consumption
Foodborne Illness Investigation	Food	COMAR 10.15.04.24	LHD investigates foodborne and waterborne illnesses related to food service facilities and within institutional facilities investigation

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Funding - Local Health Services State Funding	Fiscal - Local Health Departments	COMAR 10.04.01	Governs the provision of funding for local health services. Amounts of State General funds to be provided to LHD for Core Public Health Services
Hazards Investigation - PH / EH	Environment / Public Health	Environmental Article §10-201	Local Health Officer has the authority to investigate any condition that is 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 dispensing of controlled, dangerous substances
Hazards - Poison Prevention Packaging	Environment - Dangerous Devices and Substances	COMAR 10.19.06	All poison prevention packaging regulations are applicable by the incorporated provisions of Code 16 of Federal Regulations Part 1700
Hotels /Motels	Environment	Health - General §20-301	LHD investigates complaints regarding hotels and motels
Immunizations - Meningococcal Vaccination Requirements	Epidemiology / Communicable Disease 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

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Immunizations - School Health Services and Required Immunizations Before Entry into School	Epidemiology / Communicable Disease Control	COMAR 10.06.04	A preschool or school principal or other person in charge of a preschool or school, public or private, may not knowingly admit a student to or retain a student unless the student's parent or guardian has furnished evidence of age appropriate immunity
Inspections - Other (Sewage, Sludge,	Environment	COMAR 26.04.02 COMAR 26.04.06 COMAR 26.11.07	Allows authorized State and local health officials to conduct on-site inspections; regulate water supply, sewage disposal, and solid waste; requirements for permits, construction and design
Lead Paint Poisoning - Inspections	Environment	COMAR 26.16.02 COMAR 26.16.05 COMAR 26.02.07	Regulations for inspection of single family housing or multiple-property housing; techniques for abatement of lead containing substances from interior and certain exterior surfaces in residential rental areas and day care properties
Mobile Home Park License	Environment	COMAR 10.16.02	LHD performs inspections, investigates complaints, issues permits for mobile home parks, and enforces regulations to establish minimum standards of construction, maintenance, and operation of mobile home parks to protect the health, safety, and general welfare of the public

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Nuisance Complaints - Public Health	Environment and Public Health	Environ. Article 10-201 Title 20 - Section 306 Environ Article 10- 201 Title 20 - Section 307 Environ Article 10-201 Title 20 - Section 308	Upon nuisance investigation, if either the Local Health Officer or the Secretary of Health finds that a nuisance exists that presents an immediate hazard to public health, the Secretary or local health officer may summarily abate the nuisance. LHD follows up on nuisance complaints
Other Licenses (Camps, Institutional, Outdoor music festivals, etc.)	Environment and Housing	Repealed COMAR 10.16.01 COMAR 10.16.03 COMAR 10.16.05	Regulations to govern health permits for outdoor musical festivals and to establish minimum standards of layout, operation, construction, and maintenance of camps to protect and promote the health, safety, and general welfare of the public. LHD evaluates plans and inspects outdoor music festivals
Quarantine - Care of Individuals Isolated or Quarantined Due to a Deadly Agent	Epidemiology / Catastrophic Health Emergencies / Communicable Disease Control	COMAR 10.59.01	Guideline for isolation precaution in Hospitals; investigating actual or potential exposures to a deadly agent, the Secretary may order isolation or quarantine of an individual or a group of individuals, including those individuals who refuse to be vaccinated, medically examined, treated, or tested; Health official may issue a directive to an individual or a group to go and remain in places of isolation or quarantine

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Topic	Public Health Arena	Regulation or Law Citation	Public Health Agency's Role
Solid Waste - General	Environment	SMCHD Local Ordinance COMAR 26.04.07	Regulations to establish operations, application, permitting of solid waste facilities; investigate complaints; review sewage and sludge applications and sites; review demolition permits
Solid Waste - Sewage Disposal / Sludge Management / Septic Systems	Environment	COMAR 26.04.02 COMAR 26.04.05 COMAR 26.04.06	Local, city, and county health departments will review applications; issue permits; provide installation inspection; investigate failing systems. These authorities may purchase, hold, lease, build, construct, own, operate, repair, maintain, and improve a shared facility in a county and enter into contractual agreements with the federal government, the State, or with a municipality, person or individual providing services for a shared facility
Solid Waste - Special Medical Waste	Environment	COMAR 10.06.06	Regulations for healthcare entities that handle, treat, and dispose special medical waste; including a) autoclaving;. b) chemical disinfection;. c) cremation;. d) disinfection;. e) mechanical destruction after decontamination;. f) incineration g) Encapsulation
Topic	Public Health Arena	Regulation or Law	Public Health Agency's

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		Citation	Role
Swimming Pools, Spa Licenses	Environment	COMAR 10.17.01	Regulations that adopt construction standards; update disinfection standards; recognize certain new technologies and design concepts, to establish minimum standards for protecting and promoting the public health and safety of individuals at public spas and pools in Maryland
Swimming Pools, Spa, Bathing Beach Inspections	Environment	COMAR 10.17.01 COMAR 26.04.01 COMAR 26.04.03 COMAR 26.08.09	The MDE 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	Personal Hygiene - Preventative Medicine	COMAR 10.52.06	To establishes regulations on the use of tanning devices by minors
Tattoo / Body Piercing	Consumer Protection	COMAR 10.06.06	Regulations on handling and disposing of sharp waste objects that have come in contact with bodily materials; tattoo and body piercing shop should follow requirements of the Health Officer as both procedures carry risks
Topic	Public Health Arena	Regulation or Law	Public Health Agency's

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		Citation	Role
Tobacco - Prohibition of Smoking in Indoor Areas Open to the Public	Tobacco	COMAR 10.19.04	Regulations that preserve and improve the health, comfort, and environment of the people of the State by protecting the public and employees from involuntary exposure to environmental tobacco smoke in indoor areas open to the public; LHDs investigate complaints
Tobacco - Youth Tobacco Sales	Tobacco	St. Mary's County Tobacco Regulation Tobacco 21 State of Maryland Regulation FAQ for Tobacco Retailers - Revised Nov 2020	All tobacco products, including electronic smoking devices (e-cigarettes, vapes, pod-based devices and their e-liquids, and component parts and accessories – regardless of nicotine content/including CBD) are considered tobacco products and cannot be sold to anyone under 21 with the exception of an exception for active duty military personnel ages 18 or older with a valid military ID card. In Carroll County and St. Mary's County, a person who violates this section commits a civil infraction and is subject to a civil penalty of: (i) \$300 for the first violation; and (ii) \$500 for any subsequent violation within 24 months after the previous citation
Transportation safety - Bicycle helmets	Injury Prevention	Transportation Article § 21-1207.1	Helmets are required at all times while a bicycle is being operated on any highway, bicycle way, or other property open to the public or used by the public for pedestrian or vehicular traffic; and to all people of ages 16 and under riding a bicycle, including a person under the age of 16 who is a passenger on a bicycle

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Transportation Safety - Bicycle Traffic	Injury Prevention	Transportation Article § 21-1202	Maryland's traffic laws apply to bicycles and motor scooters
Transportation safety - child safety seats	Injury Prevention	Transportation Article §22-412.2(d)	A person transporting a child under the age of 8 years in a motor vehicle shall secure the child in a child safety seat in accordance with the child safety seat and vehicle manufacturers' instructions unless the child is 4 feet, 9 inches tall 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 - Mandatory Seatbelt Use	Injury Prevention	Transportation Title § 22-412.3	A person may not operate a motor vehicle unless the person and each occupant under 16 years old are restrained by a seat belt or a child safety seat; all drivers and front seat passengers must wear seat belts
Vital Records - Birth Certificates	Vital Records	Health Article § 4-204 COMAR 10.03.01	Public health agency issues the birth, death, and fetal death certificate copies
Water - Certificate of Potability	Environment	COMAR 26.04.04	Regulations governing the standards and procedures applicable to the construction, abandonment and maintenance of wells in Maryland

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Topic	Public Health Arena	Regulation or Law Citation	Public Health Agency's Role
Water - Emergency	Environment	COMAR 26.04.01	LHD assures adequate, safe drinking water for human survival during an emergency
Water - Percolation Testing	Environment	COMAR 26.04.03.02 COMAR 26.04.03	LHD performs percolation testing and soil analysis; site plan review; groundwater monitoring
Water - Well Construction	Environment	COMAR 26.04.04	LHD issues permits and conducts inspections
Authority - County Board of Health	Authority	Health - General - Article 3 - Subtitle 2	Describes the County Board of Health powers and duties
Authority - Local Health Officer	Authority	Health - General - § 3-306	Indicates the powers and duties of the County Health Officer

