

**DIRECTIVE AND ORDER
OF THE MARYLAND SECRETARY OF HEALTH
TO REPORT VAPING ASSOCIATED LUNG INJURY
CASE INFORMATION**

WHEREAS, the U.S. Food and Drug Administration (“FDA”), Centers for Disease Control and Prevention (“CDC”) and the Maryland Department of Health (“MDH”) have issued health advisories concerning vaping associated lung injury;

WHEREAS, vaping devices, such as e-cigarettes, JUULS and vape pens, and vaping cartridges and/or juices used in conjunction with these products have been shown to contain nicotine, tetrahydrocannabinol (THC) and/or other substances, such as flavoring and/or chemicals (hereinafter collectively referred to as “vaping devices”);

WHEREAS, in 2019, an outbreak of lung injuries has developed in previously healthy individuals who had recently used vaping devices;

WHEREAS, the FDA and CDC have shown concern for a nationwide outbreak and have begun investigations into the cause of the outbreaks;

WHEREAS, § 18-102 of the Health-General Article of the Maryland Code gives the Secretary of Health the authority to adopt rules and regulations and take actions necessary to prevent diseases that endanger the public health;

WHEREAS, the number of cases of lung injuries associated with vaping devices reported in the State of Maryland is currently estimated to be 23, but this number only includes those voluntarily reported instances;

WHEREAS, it is necessary for all instances of lung injuries suspected to be related to the use of vaping devices to be reported for MDH to determine the full extent of this outbreak and of the danger to the public health;

WHEREAS, prompt reporting of suspected cases is required to allow for expeditious actions to be taken by the Secretary of Health, MDH, and the local health departments regarding vaping device related lung injuries;

WHEREAS, the CDC has released a case definition for vaping device related lung injuries associated with the current outbreak.

Now, therefore, I, Robert R. Neall, Secretary of Health, pursuant to § 18-102 of the Health-General Article of the Maryland Annotated Code, find it necessary for the maintenance of an effective disease surveillance system, for the investigation of actual or suspected cases of vaping related lung injuries, and for control of infectious disease, hereby order and direct as follows:

1. This order applies to the following health care providers:
 - a. All persons licensed by MDH under Titles 7, 7.5, 10, and 19 of the Health-General Article of the Maryland Annotated Code; and
 - b. All individuals licensed under the provisions of the Health Occupations Article of the Maryland Annotated Code.
2. All health care providers shall:
 - a. Become familiar with the criteria for a suspected case of vaping associated lung injury, which is as follows:

Use of any e-cigarette (“vaping”) or dabbing in 90 days prior to symptom onset
AND
Pulmonary infiltrate, including opacities on plain film chest radiograph or ground-glass opacities on chest CT
AND
No alternative plausible diagnoses (e.g., infectious, cardiac, rheumatologic, or neoplastic process);
 - b. Submit, within one working day, telephonic or written morbidity reports of suspected vaping associated lung injury to the local health department for the jurisdiction in which the health care is located;
 - c. Consult the Maryland Department of Health Vaping Associated Lung Injury website for updated information and additional resources at <https://phpa.health.maryland.gov/OEHFP/EH/Pages/VapingIllness.aspx>;
 - d. Educate and instruct the patient on appropriate measures to prevent further injury.
3. All Local Health Departments shall:
 - a. Immediately notify the MDH PHPA of any suspected vaping associated lung injury cases; and
 - b. Maintain the confidentiality of information collected pursuant to Section 2, above, as required by State and federal law;

THIS DIRECTIVE AND ORDER IS ISSUED UNDER MY HAND THIS 3RD DAY OF OCTOBER, 2019, AND IS EFFECTIVE IMMEDIATELY.



Robert R. Neall
Secretary of Health