



STATE OF MARYLAND

DHMH

Maryland Department of Health and Mental Hygiene

Larry Hogan, Governor - Boyd Rutherford, Lt. Governor - Van Mitchell, Secretary

MEMORANDUM

DATE: June 10, 2016 **HO Memo #OPR 16 -1**

TO: Health Officers
Deputy Health Officers
Public Health Emergency Planners
Maryland Responds Local Unit Administrators

FROM: Sherry Adams

RE: **Local Utilization of the Maryland Responds Medical Reserve Corps**

The DHMH Office of Preparedness and Response (OP&R) organizes and manages the Maryland Responds Medical Reserve Corps (MRC). The program has evolved significantly over the years both in numbers and capabilities. The purpose of this memo is to provide you with an update on the Maryland Responds MRC, the new capabilities this program offers to local jurisdictions, and the health officer role in activations.

Maryland Responds is a community-based network of local MRC units in Maryland. The network comprises over 4,200 volunteer Maryland Responders organized as a state program with local units. Maryland Responds local units are housed within the local health departments and are managed by health department staff who serve as local unit administrators. State administrators work in conjunction with local unit administrators to coordinate day-to-day management of a unit. Local units may be activated to support a wide variety of local emergency response operations as well as ongoing public health initiatives.

Local units should pre-identify the types of incidents and activities that warrant activation of their volunteers and obtain prior approval from their health officer or designee whenever possible. If local resources have been exhausted and additional volunteers are needed, a request may be made to the state program to activate volunteers regionally or statewide.

The decision to activate a local unit to support a local emergency or public health activity will be made locally. The health officer serves as the local unit's activation authority. A health officer's approval of local volunteer activations enables volunteers to benefit from liability protections described below.

Pursuant to the Annotated Code of Maryland, State Government Article, § 12-101(a)(3)(ii) and the Code of Maryland Regulations 25.02.01.02B(8), the Maryland Department of Health and Mental Hygiene recognizes the Maryland Responds Medical Reserve Corps as a State Volunteer Program. As such, Maryland Responds Volunteers may perform any duties authorized by the Governor, the Secretary of the Department of Health and Mental Hygiene, the Boards, or their agents.

When performing duties as authorized, the Volunteer qualifies as State personnel under the Maryland Tort Claims Act, Annotated Code of Maryland, State Government Article, § 12-105, and the Courts and Judicial Proceedings Article §5-522(b), meaning that the Volunteer is immune both from suit in the courts of the State and from liability for acts or omissions within the scope of the Volunteer's authorized duties that are performed without malice or gross negligence.

The Volunteer is a civil defense volunteer as defined under the Workers' Compensation Act, Annotated Code of Maryland, Labor and Employment Article, § 9-232.1(a)(2). As such, if the Volunteer is called upon by the Department to perform duties during scheduled emergency training or during an emergency, the Volunteer will be considered to be a civil defense volunteer under that statute and will be eligible for workers' compensation to the extent provided under the Workers' Compensation Act when volunteer services are provided.

For more information on your jurisdiction's Maryland Responds unit please discuss this information with your public health emergency planner and your Maryland Responds local unit administrator. To view a list of local unit administrators, visit: <http://bit.ly/mdrLocalAdmin>.