OPERATIONS

MDH POLICY #02.11.02
Effective Date: 12/01/2021

MDH Business Continuity Policy

I.   EXECUTIVE SUMMARY

The Maryland Department of Health (MDH) has the mission to promote and improve the health and safety of all Marylanders through disease prevention, access to care, quality management, and community engagement.

This policy describes how MDH shall maintain business continuity, to include Continuity of Operations, Disaster Recovery planning and implementation, and Administrative Preparedness.

The Operations Administration is responsible for administering this program, providing guidance, and coordinating with MDH Units on an as-needed basis. Every MDH Unit must be responsible for their own business continuity practices to ensure MDH programs are operational (to the greatest extent possible) during an incident.

II.   BACKGROUND

Business continuity ensures that MDH can meet its mission through adequate planning in the case of a wide range of potential emergencies. Planning allows MDH to resume Essential Functions as quickly as possible in the event of an emergency. Focusing on Continuity of Operations (COOP), Disaster Recovery (DR), and Administrative Preparedness allows MDH to continue its mission in the event of an emergency that disrupts normal operations. Further, this planning will allow MDH Units to anticipate response actions, improve performance of Essential Functions, and improve communication to support the Essential Functions of MDH.

III.   POLICY STATEMENTS

A.   DEFINITIONS

In this policy, the following terms have the meanings indicated.

1. "Administrative Preparedness" means the process of ensuring that the fiscal, legal, and administrative authorities and practices that govern funding, procurement, contracting (including the processing and payment of invoices for related goods and services), and hiring are appropriately integrated into all stages of emergency preparedness and response.

2. "Continuity of Operations (COOP)" means an effort within an organization to ensure that its Essential Functions continue to be performed during a wide range of emergencies until normal operations can be resumed. The effort shall include the identification of Essential Functions and associated staff and needed practice modifications.

3. "Emergency Essential Employee" means employees whose work duties are of such a nature as to require the employee to report for work or remain at the work site as directed to continue agency operations during an emergency situation. An Emergency Essential Employee is notified of their status by their appointing authority.

4. "Essential Functions" means the important or urgent activities and business functions of MDH that must continue with no or minimal interruption under all circumstances.

5. "Essential Records" means MDH's vital data required for performing Essential Functions, which should be maintained on secure systems and backed up on redundant servers.

6. "IT Disaster Recovery" means the process by which IT systems recover from an emergency situation and resume normal operations and services.

7. "OET Enterprise Services" means a technology service available for consumption by MDH Units, as defined in a service catalog maintained by MDH's Office of Enterprise Technology (OET).

8. "Reconstitution" means the process by which agency personnel resume normal operations at the primary operating facility.

B.   GENERAL POLICY STATEMENTS

The purpose of this policy is to establish the responsibilities and procedures necessary for MDH to maintain business continuity in the event of an emergency that disrupts standard operating procedures.

This policy takes into account the following assumptions:
- MDH provides critical services and Essential Functions that must continue in the event of an emergency.
- An emergency incident may occur at any time, day or night, weekend or holiday, with little or no warning.

- The exact unfolding of an incident is not entirely predictable. Operational plans and procedures serve as guides and may require in-the-moment modification to meet the demands of an incident.
- Incidents that do not affect MDH directly, but that affect public health and medical operations in Maryland may still require the involvement of MDH.

1. Applicability/Triggers

MDH Units regularly respond to routine incidents as part of their normal operations by using pre-established plans and procedures, both written and practiced. However, when incidents increase in magnitude or complexity and surpass the scope of those plans and procedures, additional resources and coordination may be required to support business continuity efforts. This policy is triggered when plans and procedures developed by MDH Units are insufficient to handle an incident and enterprise-wide coordination for continuity operations is determined to be necessary.

2. Continuity of Operations

Each MDH Unit must have a COOP plan, which shall be shared with the Operations Administration and the Office of Preparedness and Response (OP&R). Each unit's COOP plan shall provide a framework that ensures Essential Functions and services will continue to operate and be provided. Upon the existence of an emergency which disrupts operations, each unit's COOP plan shall be activated and followed accordingly.

All COOP plans must contain the following information: Essential Functions, Activation, Orders of Succession, Delegation of Authority, Alternative Facilities/Locations, Essential Records Management, Human Capital Management, Training, Exercising, Plan Maintenance, Devolution, and Reconstitution. MDH Units shall be provided with a template to complete this plan containing the above sections. All MDH Units must have a completed COOP plan within one (1) year of this policy's effective date. Further, all MDH Units must exercise or drill their COOP plan yearly. All MDH Units must update their COOP plan at a minimum every five (5) years.

3. IT Disaster Recovery

MDH Units shall provide for IT Disaster Recovery measures within their COOP plan, as necessary to ensure Continuity of Operations. The MDH Office of Enterprise Technology (OET) shall review and approve all IT Disaster Recovery measures for services not defined as an OET Enterprise Service. OET shall develop a COOP plan addressing OET Enterprise Services.

In considering incidents such as power outage, equipment failure, and cyber-attack/ransomware, each unit's COOP shall consider recovery strategies to anticipate the loss of one or more of the following system components as applicable to the MDH Unit:

- Computer room environment (secure computer room with climate control, conditioned and backup power supply, etc.)
- Hardware (networks, servers, desktop and laptop computers, wireless devices and peripherals)
- Connectivity to a service provider (fiber, cable, wireless, etc.)
- Software applications (electronic data interchange, electronic mail, enterprise resource management, office productivity, etc.)
- Data and restoration

Upon request, OET shall consult with MDH Units who choose to develop their own IT Disaster Recovery plans within their COOP instead of using OET Enterprise Services.

The MDH Data Office shall compile and maintain an inventory of datasets critical to MDH to include in the plan. The MDH Data Office shall develop a data backup strategy, working with MDH Units to identify what data to backup and prioritization to restore data based on the Department's needs. OET and Maryland Total Human Services Intregated Network (MDTHINK) teams will coordinate with the MDH Data Office when selecting and implementing data backup procedures, scheduling and conducting backups, and periodically validating that data has been accurately backed up.

4. Essential Records Retention

Essential Records are essential to the mission of MDH. Therefore, MDH employees should follow existing record retention procedures to ensure that Essential Records are accessible in the case of an emergency. This is consistent with the MDH Policy on Records Management ([MDH Policy 01.05.06](#)).

5. Administrative Preparedness

Administrative Preparedness encapsulates the authorities and practices that govern fiscal, procurement, contracting, hiring, and legal capabilities necessary to respond to and recover from public health and other emergencies. The day-to-day policies and procedures for these capabilities must be documented and include options for how these policies and procedures can be accelerated, modified, and/or streamlined during an emergency, while still being appropriately managed. Examples of these accelerated, modified, and/or streamlined activities include emergency procurements, MDH "super" corporate purchasing cards assigned by the Governor's office through the Governor's Office of Homeland Security, and specialized attendance/leave policies.

6. MDH Building and Life Safety

MDH employee safety is paramount. All buildings and/or offices housing MDH employees should have a plan in place for emergencies requiring evacuation/shelter-in-place (e.g., building evacuation, fire safety/prevention, active assailant). In addition, MDH shall maintain an Emergency Notification System, which will facilitate dissemination of

information to MDH employees (either as a whole or within certain facilities) alerting them to a pending or existing emergency. Life safety systems shall be tested and exercised by MDH in accordance with existing legal requirements.

7. Incident Staffing

Any MDH employee may be required to work beyond their standard days or hours during an emergency situation which activates the Incident Command Structure as outlined in MDH Policy 02.11.01 MDH Incident Management Policy.

Some employees may be designated as an Emergency Essential Employee. An Emergency Essential Employee has duties of such a nature as to require them to report to work or remain at work as directed to continue agency operations during certain emergency situations. All MDH Units must designate Emergency Essential Employees to the MDH Office of Human Resources before December 1st of each year. An employee's appointing authority must provide written notification of their Emergency Essential Employee status before December 1st of each year.

8. Training/Exercising

MDH Units shall participate in trainings and drills for staff to ensure all MDH employees are familiar with workplace incident prevention, mitigation, and response activities which could save lives of MDH employees and visitors. Additional trainings and exercises may be held to work through elements of Administrative Preparedness, Disaster Recovery, and COOP. These trainings/exercises may be documented through after-action reports or lessons learned documents and used to develop improvement plans.

IV.   ROLES & RESPONSIBILITIES

MDH UNITS	ROLES AND RESPONSIBILITIES
MDH Operations Administration	• Oversee MDH Business Continuity planning and implementation. • Designate Emergency Essential Employees to the MDH Office of Human Resources as appropriate
MDH Office of Human Resources	• Create and maintain a unit-specific COOP plan • Compile and store a list of Emergency Essential Employees • Designate Emergency Essential Employees as appropriate
Office of Preparedness and Response (OP&R)	• Coordinate incident support across MDH • Create and maintain a unit-specific COOP plan • Create and maintain a MDH Administrative Preparedness plan • Comply with the MDH Policy on Records Management • Coordinate trainings and exercises • Coordinate the after-action process for incidents, trainings, and exercises as appropriate

	• Designate Emergency Essential Employees to the MDH Office of Human Resources as appropriate
Office of Enterprise Technology	• Maintain a service catalog of OET Enterprise Services • Maintain awareness of cyber-attack/ransomware risks and brief the Office of the Secretary as appropriate • Create and maintain a unit-specific COOP plan • Create and maintain a COOP plan relating to OET Enterprise Services • Consult with MDH Units who choose to develop their own IT Disaster Recovery plans within their COOP plan • Comply with the MDH Policy on Records Management • Coordinate drills of the DR plan and make improvements as needed • Participate in any after-action process as invited • Designate Emergency Essential Employees to the MDH Office of Human Resources as appropriate
MDH Data Office	• Create a data backup strategy and regularly oversee the execution of OET's and MDTHINK's data backup process as per Data Officer strategy, to include an inventory of data sets across MDH • Maintain awareness of cyber-attack/ransomware risks in coordination with OET and co-brief the Office of the Secretary as appropriate • Create and maintain a unit-specific COOP plan • Comply with the MDH Policy on Records Management • Participate in trainings and exercises as invited • Participate in any after-action process as invited • Designate Emergency Essential Employees to the MDH Office of Human Resources as appropriate
All other MDH Units	• Coordinate with staff to promote a culture of readiness to support incident response • Create and maintain a unit-specific COOP plan • Comply with the MDH Policy on Records Management • Respond to requests for information/processes from your respective unit in a timely manner • Participate in trainings and exercises as invited • Participate in any after-action process as invited • Designate Emergency Essential Employees to the MDH Office of Human Resources as appropriate

V.   REFERENCES

- Maryland Executive Order 01.01.2013.06:
  https://mema.maryland.gov/Documents/MEPP_01.01.2013.06eo.pdf

- MDEM Continuity of Operations (COOP):

https://mdem.maryland.gov/community/Pages/coop.aspx

- FEMA IS-1300: Introduction to Continuity of Operations:
  https://training.fema.gov/is/courseoverview.aspx?code=IS-1300

- Ready.gov: IT Disaster Recovery Plan:
  https://www.ready.gov/it-disaster-recovery-plan

- ISO 22301:2019(en) Security and Resilience – Business Continuity
  Management Systems – Requirements:
  https://www.iso.org/obp/ui/#iso:std:iso:22301:ed-2:v1:en

- Procedure for Release of State Employees Under Emergency Conditions:
  https://military.maryland.gov/Documents/proc_release_state_emp.pdf

APPROVED:

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Dennis R. Schrader, Secretary   **Effective Date**