

HOUSE BILL 957

F1

71r2339

By: **Delegates Montgomery, Bronrott, Healey, Heller, Kaiser, Lawton, Lee, Mizeur, and Taylor Taylor, Howard, Ivey, Jennings, Rice, Stukes, F. Turner, and Walker**

Introduced and read first time: February 9, 2007

Assigned to: Ways and Means

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 20, 2007

CHAPTER _____

1 AN ACT concerning

2 ~~State Board of Education – Insect and Food Allergies Public Schools –~~
3 Student Emergency Medical Care – Guidelines

4 FOR the purpose of requiring the State ~~Board~~ Department of Education and the
5 Department of Health and Mental Hygiene to ~~adopt certain regulations that~~
6 jointly establish certain guidelines for providing emergency medical care to
7 certain students ~~who have an anaphylactic reaction to insect stings or the~~
8 ~~ingestion of or exposure to certain food items~~ with special health needs;
9 providing for the content of certain guidelines; requiring the Department of
10 Education and the Department of Health and Mental Hygiene to provide certain
11 technical assistance to certain schools for certain purposes and to develop a
12 certain monitoring process; and generally relating to State ~~Board~~ Department of
13 Education and the Department of Health and Mental Hygiene guidelines for
14 care of students with ~~insect and food allergies~~ special health needs.

15 BY adding to

16 Article – Education

17 Section 7–426

18 Annotated Code of Maryland

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (2006 Replacement Volume)

2 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
3 MARYLAND, That the Laws of Maryland read as follows:

4 **Article - Education**

5 **7-426.**

6 (A) ~~THE STATE BOARD SHALL ADOPT REGULATIONS THAT ESTABLISH~~
7 ~~GUIDELINES AND PROCEDURES FOR PROVIDING EMERGENCY MEDICAL CARE TO~~
8 ~~STUDENTS WHO HAVE AN ANAPHYLACTIC REACTION TO;~~ DEPARTMENT AND THE
9 DEPARTMENT OF HEALTH AND MENTAL HYGIENE SHALL JOINTLY ESTABLISH
10 GUIDELINES FOR PUBLIC SCHOOLS REGARDING PROVIDING EMERGENCY
11 MEDICAL CARE TO STUDENTS WITH SPECIAL HEALTH NEEDS.

12 ~~(1) INSECT STINGS; OR~~

13 ~~(2) THE INGESTION OF OR EXPOSURE TO FOODS OR FOOD~~
14 ~~PRODUCTS CONTAINING:~~

15 ~~(I) TREE NUTS;~~

16 ~~(II) PEANUTS;~~

17 ~~(III) SHELLFISH;~~

18 ~~(IV) MILK;~~

19 ~~(V) WHEAT;~~

20 ~~(VI) SOY; OR~~

21 ~~(VII) EGGS.~~

22 (B) THE GUIDELINES SHALL INCLUDE:

23 (1) ~~THE DEVELOPMENT OF EDUCATIONAL AND TRAINING~~
24 ~~MATERIALS CONCERNING THE RECOGNITION OF SYMPTOMS OF ANAPHYLAXIS;~~

1 ~~(2)~~ **THE PROCEDURES FOR THE EMERGENCY ADMINISTRATION**
2 **OF EPINEPHRINE MEDICATION AND THE PROPER FOLLOW-UP EMERGENCY**
3 **PROCEDURES;**

4 ~~(3)~~ **(2) A DESCRIPTION OF PARENTAL OR CAREGIVER**
5 **RESPONSIBILITIES INCLUDING:**

6 **(I) SCHOOL NOTIFICATION OF A CHILD’S SPECIAL HEALTH**
7 **CARE NEEDS OR DIAGNOSIS;**

8 **(II) PROVIDING APPROPRIATE MEDICATION AND DELIVERY**
9 **DEVICES AND ~~ALLERGY~~ MEDICAL CONDITION INDICATION DEVICES INCLUDING**
10 **MEDIC ALERT BRACELETS OR NECKLACES;**

11 **(III) PARENTAL CONSENT FOR THE ADMINISTRATION OF**
12 **MEDICATIONS; AND**

13 **(IV) PROVIDING ~~A CONTACT SHEET FOR AN EMERGENCY~~**
14 **CARD FOR MEDICAL EMERGENCIES WITH CURRENT CONTACT NAMES AND**
15 **TELEPHONE NUMBERS;**

16 ~~(4)~~ **(3) A DESCRIPTION OF SCHOOL RESPONSIBILITIES**
17 **INCLUDING:**

18 **(I) TRAINING FOR SCHOOL HEALTH SERVICES PERSONNEL,**
19 **TEACHERS, COACHES, TRANSPORTATION PERSONNEL, AND OTHER**
20 **APPROPRIATE SCHOOL PERSONNEL; AND**

21 **(II) PROVIDING AND DISTRIBUTING THE REQUIRED**
22 **NOTICES AND FORMS FOR ~~ALLERGY~~ NOTIFICATION, CONSENT FOR THE**
23 **ADMINISTRATION OF MEDICATIONS, MEDICAL EMERGENCY CONTACT**
24 **INFORMATION, AND ANY OTHER APPROPRIATE ~~REQUIREMENT;~~ MATERIAL; AND**

25 **(III) PROVIDING OUTREACH AND EDUCATION FOR PARENTS**
26 **AND OTHER CAREGIVERS REGARDING PROVIDING EMERGENCY MEDICAL CARE**
27 **TO STUDENTS WITH SPECIAL HEALTH NEEDS;**

28 ~~(5)~~ **(4) A DESCRIPTION OF STUDENT RESPONSIBILITIES THAT**
29 **ARE AGE AND CONDITION APPROPRIATE; AND**

1 ~~(6) THE EDUCATION AND TRAINING OF TRANSPORTATION~~
 2 ~~PERSONNEL; AND~~

3 ~~(7) (5) ANY OTHER ISSUE THAT IS RELEVANT TO THE~~
 4 ~~PREVENTION OR TREATMENT OF ANAPHYLAXIS~~ EMERGENCY MEDICAL CARE OF
 5 STUDENTS WITH SPECIAL HEALTH NEEDS.

6 (C) THE DEPARTMENT AND THE DEPARTMENT OF HEALTH AND
 7 MENTAL HYGIENE SHALL:

8 (1) PROVIDE TECHNICAL ASSISTANCE TO SCHOOLS TO:

9 (I) IMPLEMENT THE GUIDELINES ESTABLISHED UNDER
 10 THIS SECTION; AND

11 (II) TRAIN SCHOOL PERSONNEL AT THE LOCAL LEVEL; AND

12 (2) DEVELOP A PROCESS TO MONITOR THE IMPLEMENTATION OF
 13 THE GUIDELINES ESTABLISHED UNDER THIS SECTION.

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
 15 July 1, 2007.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.