

CHAPTER 442

(House Bill 957)

AN ACT concerning

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

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

BY adding to

Article – Education
Section 7–426
Annotated Code of Maryland
(2006 Replacement Volume)

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

Article – Education

7–426.

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

~~(1) INSECT STINGS; OR~~

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

~~(i) TREE NUTS;~~

~~(ii) PEANUTS;~~

~~(iii) SHELLFISH;~~

~~(iv) MILK;~~

~~(v) WHEAT;~~

~~(vi) SOY; OR~~

~~(vii) EGGS.~~

(B) THE GUIDELINES SHALL INCLUDE:

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

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

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

(I) SCHOOL NOTIFICATION OF A CHILD'S SPECIAL HEALTH CARE NEEDS OR DIAGNOSIS;

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

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

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

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

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

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

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

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

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

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

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

(1) PROVIDE TECHNICAL ASSISTANCE TO SCHOOLS TO:

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

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

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

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

Approved by the Governor, May 8, 2007.