

Department of Legislative Services  
Maryland General Assembly  
2018 Session

FISCAL AND POLICY NOTE  
Third Reader - Revised

House Bill 427  
Ways and Means

(Delegate K. Young, *et al.*)

Education, Health, and Environmental Affairs

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Public Schools – Student Sunscreen Use – Policy

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This bill requires each local board of education to adopt a written policy authorizing a student to possess and use sunscreen on school property or at a school-sponsored activity without written permission from a health care provider. In addition, each local board of education must encourage public schools to educate students about sunscreen, sun safety, and the policy established under the bill. **The bill takes effect July 1, 2018.**

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Fiscal Summary

**State Effect:** None. The bill is directed at local school systems.

**Local Effect:** None. Local school systems can change their sunscreen application policies to conform with the bill and encourage sun safety education using existing resources.

**Small Business Effect:** None.

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Analysis

**Current Law:** With the assistance of the local health department, each local board of education must provide adequate school health services, instruction in health education, and a healthful school environment. Maryland State Department of Education and Maryland Department of Health must jointly develop public standards and guidelines for school health programs and offer assistance to the local boards of education and local health departments in their implementation.

According to the existing State guideline [Sun Safety for Schools](#) from 2007, “Sunscreen is not considered a medication and is intended to protect the skin from harmful effects of UV

radiation. Develop a policy that allows students to use the sunscreen they bring to school. Consider the local school system's policy regarding hats in the development of a sun safety policy.”

**Background:** Skin cancer is the most common form of cancer with one million cases diagnosed each year in the United States. Sun safety practices that are begun early in life and consistently followed contribute to the prevention of skin cancer.

In Maryland, local school systems set their own sunscreen application policies. According to a survey of local school systems by the Department of Legislative Services, Cecil and Charles counties treat sunscreen as medication and require a doctor's note for a student to apply sunscreen. Some counties including Baltimore and Garrett counties require students to have a parent's note to apply sunscreen. Other counties such as Dorchester and St. Mary's counties allow children to bring and apply sunscreen. Finally, a few counties have no written policy regarding sunscreen. Several counties did not respond to the survey.

Eleven states including Alabama, California, Florida, and Washington have passed legislation allowing students to possess and use sunscreen without a doctor's note. In addition, there is similar legislation pending in 13 other states and the District of Columbia. There is also a House Resolution in the United States Congress that encourages sunscreen without restrictions and encourages the development of policies to ease access at state and local levels.

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### Additional Information

**Prior Introductions:** None.

**Cross File:** SB 217 (Senator Young, *et al.*) - Education, Health, and Environmental Affairs.

**Information Source(s):** Carroll, Harford; Montgomery; and Queen Anne's counties; Maryland State Department of Education; Department of Legislative Services

**Fiscal Note History:** First Reader - January 31, 2018  
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Analysis by: Caroline L. Boice

Direct Inquiries to:  
(410) 946-5510  
(301) 970-5510