

Department of Legislative Services
 Maryland General Assembly
 2019 Session

FISCAL AND POLICY NOTE
First Reader

Senate Bill 778 (Senator Waldstreicher, *et al.*)
 Education, Health, and Environmental Affairs

Education - Identification of Students With Traumatic Brain Injury - Study and Report

This bill requires that the Maryland Department of Health (MDH), the Maryland State Department of Education (MSDE), and the State Traumatic Brain Injury Advisory Board, in consultation with interested stakeholders (1) jointly study the under-identification of traumatic brain injuries (TBI) among school-aged children, and (2) recommend a process to identify children with existing TBI in public schools. By January 1, 2020, MDH, MSDE, and the advisory board must report their findings and recommendations to the Governor and the General Assembly. **The bill takes effect June 1, 2019, and terminates June 30, 2020.**

Fiscal Summary

State Effect: General fund expenditures increase by \$30,000 in FY 2020 to cover costs associated with a consultant to assist MDH with the required study. MSDE and the advisory board can handle the bill’s requirements with existing resources.

(in dollars)	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	30,000	0	0	0	0
Net Effect	(\$30,000)	\$0	\$0	\$0	\$0

Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate increase; (-) = indeterminate decrease

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law/Background: Chapters 548 and 549 of 2011 established a statewide program to provide awareness to coaches, school personnel, students, and the parents or guardians of students on:

- the nature and risk of a concussion or head injury;
- the criteria for removal from and return to play;
- the risks of not reporting injury and continuing to play; and
- appropriate academic accommodations for students diagnosed as having sustained a concussion or head injury.

A student or youth athlete who is suspected of sustaining a concussion or head injury in a practice or a game must be removed from play at that time, and cannot return to play without written clearance from a licensed health care provider trained in the evaluation and management of concussions.

The State Traumatic Brain Injury Advisory Board is charged with (1) investigating the needs of citizens with TBI; (2) identifying gaps in services to citizens with TBI; (3) facilitating collaboration among State agencies serving individuals with TBI; (4) facilitating collaboration among organizations and entities serving individuals with TBI; (5) encouraging and facilitating community participation in program implementation, and (6) issuing an annual report to the Governor and the General Assembly summarizing the board's actions and containing specified recommendations.

[In its 2018 annual report](#), the advisory board finds that (1) educators, human services professionals, and behavioral health providers tend to under-identify TBI, and (2) there is a significant discrepancy between the number of school-age children being treated in Maryland hospitals who are diagnosed with TBI and the number of Maryland students receiving special education services with a diagnosis of TBI. In the report, the advisory board recommends the following actions to improve identification of students with brain injuries:

- requiring local education agencies to add screening questions designed to capture incidents of head injury or loss of consciousness suffered at any time by the student to existing annual school health forms and special education screenings;
- developing a protocol for responding to positive responses to those questions as part of the screening process for special education services; and
- increasing dissemination of concussion prevention and awareness materials, and brain injury training, to school and athletic program personnel, students, parents, and stakeholders.

Additional Information

Prior Introductions: HB 1530 of 2018, an identical bill as amended, passed the House but no action was taken in the Senate.

Cross File: None.

Information Source(s): Montgomery County Public Schools; Maryland State Department of Education; Maryland Department of Health; Department of Legislative Services

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