



Larry Hogan, Governor · Boyd K. Rutherford, Lt. Governor · Robert R. Neall, Secretary

March 11, 2020

The Honorable Shane E. Pendergrass
Chair, House Health and Government Operations Committee
Room 241, House Office Building
Annapolis, MD 21401-1991

RE: HB 1462 – “Public Health - Emergency Use Auto-Injectable Epinephrine Program - Revisions” – Letter of Information

Dear Chair Pendergrass:

The Maryland Department of Health (Department) respectfully submits this letter of information for House Bill 1462 – Public Health - Emergency Use Auto-Injectable Epinephrine Program - Revisions. This bill expands the Emergency Use Auto-Injectable Epinephrine Program (Program) by making it available to all food service facilities in addition to food service facilities, recreation, and wellness facilities at institutions of higher education.

The Department has emergency epinephrine programs for youth camps (Md. Code Ann. 10.16.07.15, Health-General §§ 13-701 – 708) and institutions of higher education (Md. Code Ann. 10.13.04, Health-General §§ 13-7A-01). Both programs depend on trained health care professionals to oversee the program at their institution, including the approval of a written plan for the emergency epinephrine program documenting proper procedures for storage, handling, reporting, and use of emergency services. This bill greatly expands the eligibility for certification to include individuals from any food service facility in the State.

Since the enactment of the youth camps emergency epinephrine program in 2015, the Department has received two reports of emergency epinephrine use related to that program. There have been no reports since the enactment of the program for institutions of higher education.

More commonly, emergency epinephrine devices are used on individuals known to have allergies, and for whom these devices are prescribed. It is important to note that youth camps deal with children supervised by camp staff in outdoor environments where children are considered to have a significantly increased risk of allergic exposures to a variety of potential allergens, including insect stings and other non-food allergens, as well as potentially to food allergens.

The Department remains committed to ensuring that food service facilities are safe for people with food allergies. Our 2014 report to the General Assembly on food allergies and food safety recommended both menu labeling and food safety awareness training, which have resulted in increased awareness of food allergies.¹ The Department believes that its current efforts (through education and outreach, menu labeling, and the work being done by food service facilities) are appropriate in preventing adverse reactions.

HB 1462 will have a significant fiscal and operational impact on the Department. The Department will need to contract additional staff to implement the program. Additionally, certification is required on an annual basis, further increasing the operational burden for applicants and the Department.

I hope this information is useful. If you would like to discuss this further, please contact Director of Governmental Affairs Webster Ye at (410) 260-3190 or webster.ye@maryland.gov.

Sincerely,



Robert R. Neall
Secretary

¹ Report of the Task Force on Food Allergy Awareness, Food Safety, and Food Service Facility Letter Grading to the Maryland General Assembly. Accessible at: <https://phpa.health.maryland.gov/OEHFP/OFPCHS/Pages/Food-Allergies.aspx>.