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Education, Energy, and
Environment Committee

Chair, Joint Committee on
Cybersecurity, Information Technology
and Biotechnology



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THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

Testimony in Support of SB 0180- Public and Nonpublic Schools- Auto Injectable Epinephrine and Bronchodilators - Use, Availability, Training, and Policies

January 16, 2024

Chair Brian Feldman, Vice-Chair Cheryl Kagan, and members of the Education, Energy, and the Environment Committee:

Thank you for your consideration of SB 0180 - Public and Nonpublic Schools - Auto Injectable Epinephrine and Bronchodilators - Use, Availability, Training, and Policies, which will expand the law that allows for nurses to administer EpiPens in schools to include bronchodilators, or albuterol, as well. This bill will require public schools and authorize nonpublic schools to establish a policy to stock bronchodilators in schools for emergency purposes, require nurses and other school personnel to be trained to identify the signs of anaphylaxis, asthma, and respiratory distress as well as administer bronchodilators or auto-injectable epinephrine as appropriate, and remove personal liability of nurse and other school personnel.

According to the Asthma and Allergy Network, 7.6% of Maryland children have been diagnosed with asthma, but 56% of these children have not submitted the necessary documents, including the doctor's order required, to get access to the lifesaving rescue inhaler they need. Students without properly filed paperwork or medication who may be experiencing an asthma attack in school currently have no options, and schools must call 911 and wait for help. During this time, a child's condition may worsen, and in some cases, may lead to death. In many cases, a school nurse may know exactly what they need (albuterol), yet not be able to access it.

To address this problem, this bill will:

1. Require county school boards and authorize nonpublic schools to establish a policy to obtain, administer, and train school nurses and other school personnel to administer bronchodilators.
2. Require nurses and school personnel to complete training to be authorized to administer bronchodilators.
3. Require the State Department of Education to develop training on identification of respiratory distress and anaphylaxis in students.

This bill will ensure that no student with asthma, diagnosed or undiagnosed, will be without the lifesaving measure they need should they experience respiratory distress. Today, all 50 states have policies allowing for stock EpiPens in school. Just as the availability of EpiPens has helped to ensure the safety of students who experience anaphylaxis in school, a bronchodilator can help to ensure the safety of those who experience respiratory distress in school. This is why the number of states with stock albuterol laws is growing every year – with 18 states (Arizona, Arkansas, California, Georgia, Illinois, Indiana, Iowa, Kentucky, Missouri, New Hampshire, New Jersey, New Mexico, New York, Nebraska, Ohio, Oklahoma, Utah, and Virginia) currently allowing for stock bronchodilators.

This legislation will enable Maryland to join this growing list of states prioritizing the health and safety of their students in the classroom. Additionally, it will ensure that Maryland schools are given a preference in receiving allergy and asthma related grants for public schools as legislated in Congressman Steny Hoyer’s 2020 amendment to the Public Health Service Act.

The effects of asthma have a direct impact on a student’s attendance and ability to learn in the classroom. Just as students already have access to EpiPens for anaphylaxis, they should also have access to bronchodilators for asthma. Access to inhalers and proper training can ensure that school personnel are well equipped to respond to respiratory distress and ensure all students can learn in a safe environment. **For these reasons, I respectfully request a favorable report on SB 0180.**

Sincerely,

A handwritten signature in cursive script that reads "Katie Fry Hester".

Senator Katie Fry Hester
Howard and Montgomery Counties