

SENATE BILL 687

Unofficial Copy
J1

2000 Regular Session
0lr1155

By: **Senators Hollinger, Green, Bromwell, McFadden, Collins, Hooper, Pinsky, Astle, Blount, Colburn, Currie, Ferguson, Forehand, Frosh, Hafer, Haines, Harris, Hughes, Kelley, Lawlah, Middleton, Mitchell, Munson, Ruben, Sfikas, Teitelbaum, and Van Hollen**

Introduced and read first time: February 4, 2000

Assigned to: Economic and Environmental Affairs and Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

2 **School Health Programs - Smoking Prevention - A Nurse in Every School**

3 FOR the purpose of requiring school health services and the School Health Program
4 to include in each school in the State a nurse to coordinate the Comprehensive
5 Smoking Prevention Program; requiring the Program to include the provision of
6 a registered nurse with certain responsibilities in certain schools, the
7 development of certain connections between the Program and community health
8 providers, and access to certain services for students; requiring the Department
9 of Education in consultation with the Department of Health and Mental
10 Hygiene and the Governor's Office for Children, Youth, and Families to adopt
11 certain regulations relating to the Program; limiting the grant program to a
12 certain amount; requiring the Department of Education to report annually to
13 the Governor and the General Assembly on the Program; providing for certain
14 expenditures to fund the Program; and generally relating to school health
15 services and the Cigarette Restitution Fund.

16 BY adding to
17 Article - Education
18 Section 7-418
19 Annotated Code of Maryland
20 (1999 Replacement Volume)

21 BY repealing and reenacting, with amendments,
22 Article - State Finance and Procurement
23 Section 7-317(f)(1)(i) and (iii)
24 Annotated Code of Maryland
25 (1995 Replacement Volume and 1999 Supplement)

1 Preamble

2 WHEREAS, The health problems of students attending elementary schools,
3 middle schools, and high schools in the State have increased in number and severity;
4 and

5 WHEREAS, The documented relationship between good health and
6 educational achievement renders less healthy students less likely to perform as well
7 as those students who receive adequate health care services; and

8 WHEREAS, School nurses strengthen and facilitate the educational process by
9 improving and protecting the health status of children and by identifying and
10 assisting in the removal or modification of health related barriers to the learning
11 process for individual children and youth; and

12 WHEREAS, Asthma is the most common chronic disease of childhood affecting
13 about 5 million children resulting in more than 10 million missed school days per
14 year; and

15 WHEREAS, Whereas, School nurses provide direct health education and
16 health counseling to assist students and families in making decisions on health
17 lifestyles, including tobacco cessation, prevention, and asthma management; and

18 WHEREAS, School nurses are an integral part of pupil services teams in
19 schools and the teams provide comprehensive support for students, including mental
20 health and violence prevention; and

21 WHEREAS, One in every seven children in America is uninsured and school
22 nurses in the State provide vital information and assistance to families regarding the
23 Maryland Children's Insurance Program; and

24 WHEREAS, It is important to continue strengthening school health services in
25 the areas of personnel, policy development, and programing to ensure
26 interdisciplinary collaboration in each school in the State, as well as providing quality
27 assurance of school nursing programs through clinical nursing supervision; now,
28 therefore,

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

31 **Article - Education**

32 7-418.

33 (A) THE SCHOOL HEALTH SERVICES UNDER § 7-401 OF THIS SUBTITLE AND
34 THE SCHOOL HEALTH PROGRAMS UNDER § 7-415 OF THIS SUBTITLE SHALL INCLUDE
35 IN EACH SCHOOL IN THE STATE A COMPREHENSIVE SMOKING PREVENTION
36 PROGRAM.

1 (B) THE COMPREHENSIVE SMOKING PREVENTION PROGRAM SHALL PROVIDE
2 FOR A REGISTERED NURSE IN EACH SCHOOL IN THE STATE WITH THE
3 RESPONSIBILITY FOR THE PROVISION OF SCHOOL HEALTH SERVICES, INCLUDING:

4 (1) COORDINATING AND PARTICIPATING IN THE IMPLEMENTATION OF
5 THE COMPREHENSIVE SMOKING PREVENTION PROGRAM IN EACH SCHOOL;

6 (2) DEVELOPING CONNECTIONS BETWEEN THE COMPREHENSIVE
7 SMOKING PREVENTION PROGRAM AND COMMUNITY HEALTH PROVIDERS; AND

8 (3) ENSURING ACCESS TO SERVICES ADDRESSING EMOTIONAL AND
9 FAMILY PROBLEMS AFFECTING STUDENT MENTAL HEALTH.

10 (C) THE DEPARTMENT OF EDUCATION, IN CONSULTATION WITH THE
11 DEPARTMENT OF HEALTH AND MENTAL HYGIENE AND THE GOVERNOR'S OFFICE
12 FOR CHILDREN, YOUTH, AND FAMILIES SHALL ADOPT REGULATIONS THAT
13 ESTABLISH STANDARDS AND CRITERIA FOR THE AWARDING OF GRANTS UNDER THE
14 COMPREHENSIVE SMOKING PREVENTION PROGRAM IN AN AMOUNT NOT GREATER
15 THAN \$10,000,000, INCLUDING:

16 (1) PROVIDING A NURSE IN EVERY SCHOOL IN THE STATE OR ENHANCE
17 EXISTING SCHOOL HEALTH SERVICES; AND

18 (2) REQUIRING A 50% MATCH FUND FOR ELIGIBILITY.

19 (D) THE STATE BOARD SHALL SUBMIT A REPORT ON THE PROGRAM TO THE
20 GOVERNOR AND, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT
21 ARTICLE, THE GENERAL ASSEMBLY EACH YEAR ON OR BEFORE JUNE 1.

22 **Article - State Finance and Procurement**

23 7-317.

24 (f) (1) Expenditures from the Cigarette Restitution Fund shall be made for
25 the following purposes:

26 (i) reduction of the use of tobacco products by minors INCLUDING
27 THE PURPOSES UNDER § 7-418 OF THE EDUCATION ARTICLE;

28 (iii) public and school education campaigns to decrease tobacco use
29 with initial emphasis on:

30 1. areas targeted by tobacco manufacturers in marketing and
31 promoting cigarette and tobacco products; AND

32 2. THE PURPOSES STATED UNDER § 7-418 OF THE
33 EDUCATION ARTICLE;

34 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
35 October 1, 2000.

