

SENATE BILL 712

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2000 Regular Session  
0lr2483  
CF 0lr2290

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By: **Senator McFadden**

Introduced and read first time: February 4, 2000

Assigned to: Economic and Environmental Affairs

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A BILL ENTITLED

1 AN ACT concerning

2 **Education - Baltimore City - Physical Examinations - Lead Poisoning Tests**

3 FOR the purpose of requiring certain regulations to require a public school physical  
4 examination in Baltimore City to include a certain test for lead poisoning;  
5 authorizing the Commissioner of the Baltimore City Health Department, in  
6 consultation with certain department heads, to adopt certain regulations;  
7 requiring public schools in Baltimore City to report certain information to the  
8 Commissioner each school year; requiring the Commissioner to report certain  
9 information to the Department of the Environment each school year; and  
10 generally relating to requiring a certain test for lead poisoning in Baltimore City  
11 public schools.

12 BY repealing and reenacting, with amendments,  
13 Article - Education  
14 Section 7-402  
15 Annotated Code of Maryland  
16 (1999 Replacement Volume)

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

19 **Article - Education**

20 7-402.

21 (a) The Department of Education in consultation with the Department of  
22 Health and Mental Hygiene shall adopt regulations requiring a physical examination  
23 for children entering the Maryland Public School System for the first time.

24 (b) (1) The regulations shall require each child entering the Maryland  
25 Public School System for the first time to have a physical examination completed  
26 within:

27 [(1)] (I) The 9-month period before entering the public school system; or

28 [(2)] (II) The 6-month period after entering the public school system.

1           (2)    (I)    THE REGULATIONS SHALL REQUIRE THAT, IN BALTIMORE CITY,  
2 A PHYSICAL EXAMINATION REQUIRED UNDER THIS SECTION INCLUDE A BLOOD TEST  
3 SCREENING FOR LEAD POISONING.

4                   (II)   THE COMMISSIONER OF THE BALTIMORE CITY HEALTH  
5 DEPARTMENT, IN CONSULTATION WITH THE STATE SUPERINTENDENT AND THE  
6 SECRETARY OF THE ENVIRONMENT, MAY ADOPT REGULATIONS TO IMPLEMENT THE  
7 BLOOD TEST SCREENING REQUIRED UNDER THIS PARAGRAPH.

8   (c)    The physical examination required under subsection (b) of this section  
9 shall be completed by:

10           (1)    A physician; or

11           (2)    A certified nurse practitioner.

12   (d)    (1)    For each school year each public school shall report to the county  
13 board or county health department the number of children entering the public school  
14 system for the first time who have not had a physical examination because of:

15                   (i)    The lack of access to health care;

16                   (ii)   Insufficient financial resources; or

17                   (iii)   Any other reason, including a religious reason, as the public  
18 school deems appropriate.

19           (2)    The county board or county health department shall report the  
20 information obtained under paragraph (1) of this subsection to the Department of  
21 Health and Mental Hygiene.

22           (3)    (I)    FOR EACH SCHOOL YEAR EACH PUBLIC SCHOOL IN BALTIMORE  
23 CITY SHALL REPORT THE RESULTS OF A BLOOD TEST SCREENING TO THE  
24 COMMISSIONER OF THE BALTIMORE CITY HEALTH DEPARTMENT.

25                   (II)   FOR EACH SCHOOL YEAR THE COMMISSIONER SHALL REPORT  
26 THE RESULTS OF THE BLOOD TEST SCREENING TO THE DEPARTMENT OF THE  
27 ENVIRONMENT.

28   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
29 July 1, 2000.