

# HOUSE BILL 370

F1, J1

2lr2068

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By: **Delegate Costa**

Introduced and read first time: February 1, 2012

Assigned to: Ways and Means

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## A BILL ENTITLED

1 AN ACT concerning

2 **Public Schools – Physical Examinations – Calculation of Body Mass Index**

3 FOR the purpose of requiring the State Department of Education’s regulations  
4 regarding physical examinations of children entering the public school system to  
5 include a calculation of the child’s body mass index; and generally relating to  
6 requirements for physical examinations of children in public schools.

7 BY repealing and reenacting, with amendments,

8 Article – Education

9 Section 7–402

10 Annotated Code of Maryland

11 (2008 Replacement Volume and 2011 Supplement)

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

14 **Article – Education**

15 7–402.

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

19 (b) The regulations shall require each child entering the Maryland Public  
20 School System for the first time to have a physical examination **INCLUDING A**  
21 **CALCULATION OF THE CHILD’S BODY MASS INDEX**, completed within:

22 (1) The 9–month period before entering the public school system; or

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           (2)    The 6–month period after entering the public school system.

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

4           (1)    A physician; or

5           (2)    A certified nurse practitioner.

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

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

10                   (ii)   Insufficient financial resources; or

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

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

16           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
17 July 1, 2012.