

# HOUSE BILL 1457

F2, J1

8lr3114

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By: **Delegates A. Miller, Barve, and Morhaim**

Introduced and read first time: February 9, 2018

Assigned to: Appropriations

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 13, 2018

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Task Force on Higher Education – Students With a Chronic Health Condition**  
3 **Conditions – Reporting Requirements**

4 FOR the purpose of ~~requiring each institution of higher education that operates in the State~~  
5 ~~to submit a certain report to the Maryland Higher Education Commission, the~~  
6 ~~Governor, and the General Assembly on or before a certain date each year; requiring~~  
7 ~~that the Commission make certain reports public; requiring a certain report to use~~  
8 ~~information from certain sources and that is collected in a certain way; requiring a~~  
9 ~~certain report to include certain information; defining a certain term; providing for~~  
10 ~~the termination of this Act; and generally relating to a report on students with a~~  
11 ~~chronic health condition at institutions of higher education~~ establishing the Task  
12 Force on Higher Education Students With Chronic Health Conditions; providing for  
13 the composition, chair, and staffing of the Task Force; prohibiting a member from  
14 receiving certain compensation, but authorizing the reimbursement of certain  
15 expenses; requiring the Task Force to obtain data on, study, and make  
16 recommendations regarding certain matters; authorizing the Task Force to use  
17 certain resources to carry out its duties; requiring the Task Force to report its  
18 findings and recommendations to the Governor and the General Assembly on or  
19 before a certain date; requiring the Maryland Department of Health and the  
20 Maryland Higher Education Commission to make the report to the Governor and the  
21 General Assembly available to the public; providing for the termination of this Act;  
22 and generally relating to the Task Force on Higher Education Students With Chronic  
23 Health Conditions.

24 ~~BY adding to~~

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 ~~Article — Education~~

2 ~~Section 11-1401 to be under the new subtitle “Subtitle 14. Students With a Chronic~~  
3 ~~Health Condition at Institutions of Higher Education”~~

4 ~~Annotated Code of Maryland~~

5 ~~(2014 Replacement Volume and 2017 Supplement)~~

6 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

7 That ~~the Laws of Maryland read as follows:~~

8 (a) There is a Task Force on Higher Education Students With Chronic Health  
9 Conditions.

10 (b) The Maryland Department of Health jointly with the Maryland Higher  
11 Education Commission shall appoint members of the Task Force, including members that  
12 are:

13 (1) clinical experts;

14 (2) representatives of:

15 (i) institutions of higher education, including community colleges,  
16 from across the State;

17 (ii) appropriate State agencies;

18 (iii) advocacy groups;

19 (iv) the Young Invisibles; and

20 (v) the Center on Young Adult Health and Development at the  
21 University of Maryland School of Public Health;

22 (3) caregivers or parents of students with chronic health conditions  
23 enrolled in institutions of higher education;

24 (4) students with chronic health conditions enrolled in institutions of  
25 higher education; and

26 (5) representatives of any other group or entity that the Maryland  
27 Department of Health or the Maryland Higher Education Commission determines is  
28 necessary to include in order to develop the recommendations under this Act.

29 (c) The Secretary of Health, or the Secretary’s designee, and the chairperson of  
30 the Maryland Higher Education Commission, or the chairperson’s designee, shall serve as  
31 cochairs of the Task Force.

1       (d) The Maryland Department of Health and the Maryland Higher Education  
2 Commission may provide staff for the Task Force.

3       (e) A member of the Task Force:

4           (1) may not receive compensation as a member of the Task Force; but

5           (2) is entitled to reimbursement for expenses under the Standard State  
6 Travel Regulations, as provided in the State budget.

7       (f) The Task Force shall:

8           (1) obtain and study existing data, as is publicly available, on  
9 undergraduate and graduate students with chronic health conditions at institutions of  
10 higher education in the State, including data on:

11           (i) the demographics of students with chronic health conditions;

12           (ii) the types of chronic physical, mental, and behavioral health  
13 conditions experienced by students;

14           (iii) challenges faced by students with chronic health conditions;

15           (iv) existing policies at institutions of higher education addressing  
16 the rights and needs of students with chronic health conditions; and

17           (v) available programs and resources at institutions of higher  
18 education for students with chronic health conditions; and

19       (2) make recommendations on:

20           (i) enhancing and continuing systematic data collection on students  
21 with chronic health conditions;

22           (ii) eliminating existing challenges and accommodating the needs of  
23 students with chronic health conditions to ensure they receive reasonable, effective, and  
24 appropriate higher education in the State; and

25           (iii) meeting the long-term resource demands of and the need for  
26 programs for students with chronic health conditions.

27       (g) The Task Force may use State, federal, and academic resources to carry out  
28 the Task Force's duties under subsection (f) of this section, including obtaining policies on  
29 accommodating students with chronic health conditions from institutions of higher  
30 education within the State or in other states.

1 (h) (1) On or before December 31, 2019, the Task Force shall report its findings  
 2 and recommendations to the Governor and, in accordance with § 2-1246 of the State  
 3 Government Article, the General Assembly.

4 (2) The Maryland Department of Health and the Maryland Higher  
 5 Education Commission shall make the report submitted under this subsection available to  
 6 the public.

7 ~~Article—Education~~

8 ~~SUBTITLE 14. STUDENTS WITH A CHRONIC HEALTH CONDITION AT INSTITUTIONS~~  
 9 ~~OF HIGHER EDUCATION.~~

10 ~~11-1401.~~

11 (A) ~~IN THIS SECTION, “CHRONIC HEALTH CONDITION” MEANS A PHYSICAL,~~  
 12 ~~DEVELOPMENTAL, BEHAVIORAL, OR EMOTIONAL CONDITION THAT REQUIRES~~  
 13 ~~HEALTH AND RELATED SERVICES FOR A PERIOD OF 3 MONTHS OR LONGER.~~

14 (B) (1) ~~ON OR BEFORE JULY 1, 2019, AND EACH YEAR THEREAFTER,~~  
 15 ~~EACH INSTITUTION OF HIGHER EDUCATION THAT OPERATES IN THE STATE SHALL~~  
 16 ~~SUBMIT A REPORT ON UNDERGRADUATE AND GRADUATE STUDENTS WITH A~~  
 17 ~~CHRONIC HEALTH CONDITION TO THE COMMISSION, THE GOVERNOR, AND, IN~~  
 18 ~~ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL~~  
 19 ~~ASSEMBLY.~~

20 (2) ~~THE COMMISSION SHALL MAKE THE REPORTS SUBMITTED UNDER~~  
 21 ~~THIS SUBSECTION AVAILABLE TO THE PUBLIC.~~

22 (C) ~~THE REPORT REQUIRED UNDER SUBSECTION (B) OF THIS SECTION~~  
 23 ~~SHALL USE INFORMATION:~~

24 (1) ~~OBTAINED FROM THE RECORDS OF THE INSTITUTION OF HIGHER~~  
 25 ~~EDUCATION;~~

26 (2) ~~THAT IS DE-IDENTIFIED AS REQUIRED BY THE FEDERAL HEALTH~~  
 27 ~~INSURANCE PORTABILITY AND ACCOUNTABILITY ACT, THE FEDERAL FAMILY~~  
 28 ~~EDUCATIONAL RIGHTS AND PRIVACY ACT, AND ANY IMPLEMENTING REGULATIONS;~~  
 29 ~~AND~~

30 (3) ~~AGGREGATED BY THE INSTITUTION OF HIGHER EDUCATION OR~~  
 31 ~~STATEWIDE.~~

32 (D) ~~THE REPORT REQUIRED UNDER SUBSECTION (B) OF THIS SECTION~~  
 33 ~~SHALL INCLUDE:~~

1           ~~(1) ENROLLMENT INFORMATION, INCLUDING:~~

2                   ~~(I) TOTAL STUDENT ENROLLMENT;~~

3                   ~~(II) GRADUATION RATES FOR THE INSTITUTION OF HIGHER~~  
4 ~~EDUCATION;~~

5                   ~~(III) THE NUMBER OF PART-TIME AND FULL-TIME STUDENTS;~~

6                   ~~(IV) THE NUMBER OF NONTRADITIONAL STUDENTS;~~

7                   ~~(V) THE NUMBER OF STUDENTS WHO ARE 26 YEARS OLD OR~~  
8 ~~OLDER; AND~~

9                   ~~(VI) THE TOTAL NUMBER OF STUDENTS LIVING ON CAMPUS;~~

10           ~~(2) INFORMATION ON STUDENTS WITH A CHRONIC HEALTH~~  
11 ~~CONDITION, INCLUDING:~~

12                   ~~(I) THE NUMBER OF STUDENTS WITH A CHRONIC HEALTH~~  
13 ~~CONDITION; AND~~

14                   ~~(II) THE METHOD BY WHICH THE INSTITUTION OF HIGHER~~  
15 ~~EDUCATION DETERMINES THE NUMBER OF STUDENTS WITH A CHRONIC HEALTH~~  
16 ~~CONDITION;~~

17           ~~(3) THE NUMBER OF STUDENTS WITH A CHRONIC HEALTH CONDITION~~  
18 ~~THAT:~~

19                   ~~(I) USE DISABILITY SERVICES;~~

20                   ~~(II) USE HEALTH-CENTER SERVICES;~~

21                   ~~(III) ARE IN COUNSELING ON CAMPUS;~~

22                   ~~(IV) PARTICIPATE IN STUDENT LIFE;~~

23                   ~~(V) PARTICIPATE IN OTHER CAMPUS SERVICES;~~

24                   ~~(VI) ARE ENROLLED PART-TIME;~~

25                   ~~(VII) ARE ENROLLED FULL-TIME;~~

26                   ~~(VIII) ARE NONTRADITIONAL STUDENTS; AND~~

1 ~~(IX) ARE AT LEAST 26 YEARS OLD;~~

2 ~~(4) THE NUMBER OF STUDENTS THAT HAVE BEEN DIAGNOSED WITH A~~  
3 ~~CHRONIC HEALTH CONDITION AND AN INTELLECTUAL DISABILITY;~~

4 ~~(5) THE NUMBER OF STUDENTS WITH A CHRONIC HEALTH CONDITION~~  
5 ~~LIVING ON CAMPUS AND A SUMMARY OF THEIR EXPERIENCES;~~

6 ~~(6) GRADUATION INFORMATION ON STUDENTS WITH A CHRONIC~~  
7 ~~HEALTH CONDITION, INCLUDING:~~

8 ~~(I) THE GRADUATION RATE OF STUDENTS WITH A CHRONIC~~  
9 ~~HEALTH CONDITION; AND~~

10 ~~(II) THE NUMBER OF YEARS IN WHICH STUDENTS WITH A~~  
11 ~~CHRONIC HEALTH CONDITION TYPICALLY GRADUATE;~~

12 ~~(7) INFORMATION ON THE PROGRAMS THE SCHOOL HAS TO SUPPORT~~  
13 ~~STUDENTS WITH A CHRONIC HEALTH CONDITION, INCLUDING WHETHER THE~~  
14 ~~INSTITUTION OF HIGHER EDUCATION OFFERS THE FOLLOWING PROGRAMS AND~~  
15 ~~HOW EACH PROGRAM IS STAFFED:~~

16 ~~(I) DISABILITY SERVICES;~~

17 ~~(II) HEALTH CENTER SERVICES;~~

18 ~~(III) COUNSELING;~~

19 ~~(IV) STUDENT LIFE; AND~~

20 ~~(V) OTHER SERVICES;~~

21 ~~(8) INFORMATION ON ACCOMMODATIONS THAT THE INSTITUTION OF~~  
22 ~~HIGHER EDUCATION MAKES SPECIFICALLY FOR STUDENTS WITH A CHRONIC~~  
23 ~~HEALTH CONDITION AND WHETHER STUDENTS THAT HAVE BOTH A CHRONIC~~  
24 ~~HEALTH CONDITION AND INTELLECTUAL DISABILITIES HAVE ACCESS TO THE~~  
25 ~~ACCOMMODATIONS, INCLUDING ACCOMMODATIONS FOR:~~

26 ~~(I) ABSENCES, INCLUDING:~~

27 ~~1. TUTORING;~~

28 ~~2. NOTE TAKERS;~~

1 ~~3. METHODS TO ASSIST THE STUDENT IN STAYING ON~~  
2 ~~SCHEDULE; AND~~

3 ~~4. METHODS TO ASSIST THE STUDENT IN CATCHING UP~~  
4 ~~WITH MISSED CLASSES;~~

5 ~~(II) GENERAL TUTORING;~~

6 ~~(III) PEER SUPPORT;~~

7 ~~(IV) TECHNOLOGY SUPPORT;~~

8 ~~(V) UNIVERSALLY DESIGNED LEARNING MATERIALS;~~

9 ~~(VI) CLASS PARTICIPATION BY VIDEO;~~

10 ~~(VII) EXTENSIONS ON DUE DATES OR EXAMS; AND~~

11 ~~(VIII) MODIFIED OR ADAPTED WORKLOADS;~~

12 ~~(9) THE NUMBER OF STUDENTS THAT USE THE ACCOMMODATIONS~~  
13 ~~LISTED IN ITEM (8) OF THIS SUBSECTION;~~

14 ~~(10) INFORMATION REGARDING WHETHER THE INSTITUTION OF~~  
15 ~~HIGHER EDUCATION PROVIDES ANY ADDITIONAL ACCOMMODATIONS OTHER THAN~~  
16 ~~THOSE LISTED IN ITEM (8) OF THIS SUBSECTION;~~

17 ~~(11) INFORMATION ON ANY OTHER POLICIES, SERVICES, OR~~  
18 ~~PROGRAMS FOR STUDENTS WITH A CHRONIC HEALTH CONDITION;~~

19 ~~(12) THE NUMBER OF STUDENTS WITH A CHRONIC HEALTH CONDITION~~  
20 ~~THAT PARTICIPATE IN:~~

21 ~~(i) INTERNSHIPS;~~

22 ~~(ii) WORK ON CAMPUS;~~

23 ~~(iii) WORK STUDY PROGRAMS;~~

24 ~~(iv) CLUBS; AND~~

25 ~~(v) SPORTS;~~

~~(13) INFORMATION ON THE INSTITUTION OF HIGHER EDUCATION'S POLICY ON ATTENDANCE AND HOW IT AFFECTS STUDENTS WITH A CHRONIC HEALTH CONDITION;~~

~~(14) INFORMATION ON THE PROTOCOL FOR STUDENTS WITH A CHRONIC HEALTH CONDITION WHO MISS CLASS, ASSIGNMENTS, OR EXAMS DUE TO A HEALTH PROBLEM OR EMERGENCY;~~

~~(15) INFORMATION REGARDING WHETHER STUDENTS ARE REQUIRED TO REPORT ILLNESSES BEFORE MISSING A DEADLINE OR AN EXAM;~~

~~(16) INFORMATION ON THE INSTITUTION OF HIGHER EDUCATION'S PROTOCOL FOR:~~

~~(I) REPORTING ABSENCES; AND~~

~~(II) ASKING FOR EXTENSIONS;~~

~~(17) INFORMATION ON STUDENTS WITH A CHRONIC HEALTH CONDITION WITHDRAWING FROM CLASSES, INCLUDING:~~

~~(I) THE NUMBER PER YEAR;~~

~~(II) HOW THE WITHDRAWAL IS REPORTED ON A STUDENT'S TRANSCRIPTS; AND~~

~~(III) WHETHER A STUDENT FORFEITS TUITION PAID WHEN THE STUDENT WITHDRAWS FROM A COURSE;~~

~~(18) THE NUMBER OF STUDENTS WITH A CHRONIC HEALTH CONDITION WHO HAVE DIFFICULTY MEETING FINANCIAL AID OR SCHOLARSHIP REQUIREMENTS BECAUSE OF PROBLEMS RELATED TO THE STUDENT'S CHRONIC HEALTH CONDITION;~~

~~(19) INFORMATION ON STUDENTS WITH A CHRONIC HEALTH CONDITION RECEIVING AN INCOMPLETE GRADE IN CLASSES, INCLUDING:~~

~~(I) THE NUMBER OF INCOMPLETE GRADES PER STUDENT;~~

~~(II) THE AMOUNT OF TIME THAT THE INSTITUTION OF HIGHER EDUCATION ALLOWS THE STUDENT TO COMPLETE THE COURSE; AND~~

~~(III) THE NUMBER OF INCOMPLETE COURSES PER STUDENT THAT THE STUDENT EVENTUALLY COMPLETES;~~



1 ~~(20) INFORMATION ON THE INSTITUTION OF HIGHER EDUCATION'S~~  
2 ~~POLICY FOR MEDICAL LEAVE, INCLUDING:~~

3 ~~(I) THE NUMBER OF STUDENTS WHO TOOK MEDICAL LEAVE;~~  
4 ~~AND~~

5 ~~(II) WHETHER STUDENTS WHO TAKE MEDICAL LEAVE ARE~~  
6 ~~ACADEMICALLY SUCCESSFUL AFTER THEY RETURN TO THE INSTITUTION OF HIGHER~~  
7 ~~EDUCATION; AND~~

8 ~~(21) ANY INSTITUTIONAL PERSPECTIVES ON STUDENTS WITH A~~  
9 ~~CHRONIC HEALTH CONDITION WITHDRAWING FROM CLASSES, INCLUDING:~~

10 ~~(I) THOUGHTS;~~

11 ~~(II) COMMENTS;~~

12 ~~(III) NEEDS;~~

13 ~~(IV) GOALS;~~

14 ~~(V) SOLUTIONS; AND~~

15 ~~(VI) QUESTIONS.~~

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
17 1, 2018. It shall remain effective for a period of ~~10~~ 2 years and, at the end of June 30, ~~2028~~  
18 2020, this Act, with no further action required by the General Assembly, shall be abrogated  
19 and of no further force and effect.

Approved:

\_\_\_\_\_  
Governor.

\_\_\_\_\_  
Speaker of the House of Delegates.

\_\_\_\_\_  
President of the Senate.