

Department of Legislative Services
 Maryland General Assembly
 2018 Session

FISCAL AND POLICY NOTE
 Third Reader - Revised

House Bill 1530
 Ways and Means

(Delegate Flanagan, *et al.*)

Rules

Education – Identification of Students With Traumatic Brain Injury – Study and Report

This bill requires the Maryland Department of Health (MDH), the Maryland State Department of Education (MSDE), and the State Traumatic Brain Injury Advisory Board, to (1) in consultation with interested stakeholders, jointly study the under-identification of traumatic brain injuries among school-aged children, and (2) recommend a process to identify children with existing traumatic brain injuries in public schools. By January 1, 2019, MDH, MSDE, and the advisory board must report their findings and recommendations to the Governor and the General Assembly. **The bill takes effect June 1, 2018, and terminates June 30, 2019.**

Fiscal Summary

State Effect: MDH expenditures increase by \$30,000 in fiscal 2019 to cover costs associated with a consultant to assist with the required study. MSDE and the advisory board can handle the bill’s requirements with existing resources.

(in dollars)	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	30,000	0	0	0	0
Net Effect	(\$30,000)	\$0	\$0	\$0	\$0

Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate increase; (-) = indeterminate decrease

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law/Background: Chapters 548 and 549 of 2011 established a statewide program to provide awareness to coaches, school personnel, students, and the parents or guardians of students on:

- the nature and risk of a concussion or head injury;
- the criteria for removal from and return to play;
- the risks of not reporting injury and continuing to play; and
- appropriate academic accommodations for students diagnosed as having sustained a concussion or head injury.

A student or youth athlete who has been removed from play and who is suspected of sustaining a concussion or other head injury cannot return to play without written clearance from a *licensed health care provider* trained in the evaluation and management of concussions.

The State Traumatic Brain Injury Advisory Board is charged with (1) investigating the needs of citizens with traumatic brain injuries (TBI); (2) identifying gaps in services to citizens with TBI; (3) facilitating collaboration among State agencies serving individuals with TBI; (4) facilitating collaboration among organizations and entities serving individuals with TBI; (5) encouraging and facilitating community participation in program implementation; (6) and issuing an annual report to the Governor and the General Assembly summarizing the board's actions and containing recommendations.

In its 2016 annual report, the advisory board recommends:

- requiring local education agencies to add screening questions to existing annual school health forms designed to capture incidents of head injury or loss of consciousness suffered at any time by the student; and
- developing a protocol for responding to positive responses to those questions as part of the screening process for special education services.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Maryland State Department of Education; Maryland Department of Health; State Traumatic Brain Injury Advisory Board; Department of Legislative Services

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