

Department of Legislative Services
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FISCAL AND POLICY NOTE
First Reader

Senate Bill 954

(Senator Nathan-Pulliam)

Education, Health, and Environmental Affairs

Education - Public and Nonpublic High Schools - Organ and Tissue Donation Awareness Instruction

This bill requires, beginning in the 2020-2021 school year, a local board of education to provide age-appropriate instruction on organ and tissue donation and registration as part of the personal and consumer health curriculum in grades 9 through 12 in public high schools. Local boards are encouraged to begin providing the instruction in the 2019-2020 school year. A nonpublic high school is encouraged to provide age-appropriate instruction on organ and tissue donation and registration. **The bill takes effect July 1, 2019.**

Fiscal Summary

State Effect: None. The bill is directed at local school systems.

Local Effect: Local school systems can provide age-appropriate instruction on organ and tissue donation and registration using existing resources; however, resources may be diverted from existing health curriculum requirements.

Small Business Effect: None.

Analysis

Bill Summary: The purposes and goals of the instruction are to (1) describe the benefits of organ and tissue donation to the greater society and to the health and well-being of the individuals whose lives are saved by the donations and (2) explain the options available to minors and adults regarding organ and tissue donation, including matters concerning the circumstances that require the written consent and authority of parents and legal guardians

and the option for an individual to designate and grant to a decision maker the authority to make organ and tissue donation decisions on behalf of the individual.

Current Law: Each local school system must (1) provide in public schools a comprehensive health education program with sufficient frequency and duration to meet the requirements of the State curriculum for all students in prekindergarten through grade 8 and (2) offer in public schools a comprehensive health education program in grades 9 through 12 that enables students to meet graduation requirements and to select health education electives. Access to the curriculum must be provided for nondiploma-bound students.

As shown in the **Appendix – State Public High School Diploma Credit Requirements**, to graduate high school students must complete a half credit of health. According to the Maryland State Department of Education (MSDE) a half-credit course is about 67 hours of instruction time.

State law requires local school systems to teach a number of specified health topics including drug addiction and prevention education; awareness and prevention of sexual abuse and assault; and cardiopulmonary resuscitation (CPR) that includes hands-only CPR and the use of an automated external defibrillator.

State regulations require health instruction in the following topics: mental and emotional health; alcohol, tobacco, and other drugs; personal and consumer health; family life and human sexuality; safety and injury prevention; nutrition and fitness; and disease prevention and control.

Background:

Organ Donations

In 2018, 374 organs were donated in Maryland, of which 208 were from living donors and 166 were from deceased individuals. Despite the advances in organ transplant medicine and increased awareness, the organ donor waiting list has grown over time, both in the United States and Maryland. About 6 in 10 Maryland candidates have been on the waiting list for more than two years. As shown in **Exhibit 1**, a total of 3,396 candidates are currently waiting for an organ donation, about 1,300 more than in 2005.

Nationwide, there were an estimated 21,444 bone marrow transplants in the United States, in 2017, 57% of which were autologous transplants (from within the same individual) and 43%, or 9,284, which were allogenic (from another individual). Since its first successful use in 1968, bone marrow transplants have been used to treat patients diagnosed with

leukemia, aplastic anemia, lymphomas such as Hodgkin's disease, multiple myeloma, immune deficiency disorders, and some solid tumors such as breast and ovarian cancer.

Exhibit 1
Current Maryland Candidate Organ Donor Waiting List

Kidney	2,496
Liver	794
Pancreas	15
Kidney/Pancreas	33
Heart	95
Lung	21
Total	3,396

Note: Total is less than sum due to candidates who are included in multiple categories. Waiting list as of January 22, 2019.

Source: U.S. Department of Health and Human Services Organ Procurement and Transplantation Network

Additional Information

Prior Introductions: HB 442 of 2018, a similar bill as introduced, passed the House and received an unfavorable report from the Senate Education, Health, and Environmental Affairs Committee.

Cross File: HB 567 (Delegate Queen, *et al.*) - Ways and Means.

Information Source(s): Maryland State Department of Education; Maryland Department of Health; Baltimore City Public Schools; Montgomery County Public Schools; Prince George's County Public Schools; U.S. Department of Health and Human Services Organ Procurement and Transplantation Network; Department of Legislative Services

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Appendix – State Public High School Diploma Credit Requirements

According to State regulations, to be awarded a high school diploma, a student must be enrolled in a Maryland public school system and have earned a minimum of 21 credits in specified subjects as detailed in **Exhibit 1**.

Exhibit 1 Distribution of Credits Required to Graduate High School

<u>Subject</u>	<u>Credits</u>
English	4.0
Fine Arts	1.0
Mathematics ¹	3.0
Physical Education	0.5
Health Education	0.5
Science	3.0
Social Studies	3.0
Technology Education	1.0
World Language <i>or</i> American Sign Language <i>or</i> Advanced Technology Education ²	2.0
Electives ²	3.0

Note: The credits must meet other requirements specified in the Code of Maryland Regulations. Elective programs and instruction must be developed at the discretion of the local school system, be open to enrollment for all students, and focus on in-depth study in required subject areas, exploration, or application and integration of what has been learned. In addition, all students must complete a locally designed high school program of environmental literacy approved by the State Superintendent of Schools.

¹However, beginning with students entering grade 9 in the 2014-2015 school year, each student must enroll in a mathematics course in each year of high school that the student attends, up to a maximum of four years of attendance, unless in the fifth or sixth year a mathematics course is needed to meet a graduation requirement.

²Alternatively, a student may successfully complete a State-approved career and technology program for four credits and one credit in an elective.

Source: Code of Maryland Regulations; Department of Legislative Services
