

SB0492/843624/1

BY: Education, Energy, and the Environment Committee

AMENDMENTS TO SENATE BILL 492
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Policy” and substitute “State Guidelines, Policies,”; in line 3, after “requiring” insert “the State Department of Education and the Maryland Department of Health jointly to adopt certain State guidelines for school health services regarding student access to telehealth appointments during the school day in public middle and high schools in the State; requiring”; strike beginning with “policy” in line 3 down through “appointments” in line 6 and substitute “certain student telehealth policy”; and in line 7, after “in” insert “public”.

AMENDMENT NO. 2

On pages 1 and 2, strike in their entirety the lines beginning with line 21 on page 1 through line 12 on page 2, inclusive.

On page 2, after line 12, insert:

“(B) (1) ON OR BEFORE DECEMBER 31, 2024, THE DEPARTMENT AND THE MARYLAND DEPARTMENT OF HEALTH, IN CONSULTATION WITH THE STAKEHOLDERS DESCRIBED IN PARAGRAPH (2) OF THIS SUBSECTION, JOINTLY SHALL DEVELOP STATE GUIDELINES FOR SCHOOL HEALTH SERVICES REGARDING THE AVAILABILITY FOR STUDENT PARTICIPATION IN TELEHEALTH APPOINTMENTS DURING THE SCHOOL DAY ON THE PREMISES OF PUBLIC MIDDLE AND HIGH SCHOOLS IN THE STATE.

(2) THE DEPARTMENT AND THE MARYLAND DEPARTMENT OF HEALTH SHALL CONSULT WITH A BROAD RANGE OF STAKEHOLDERS IN

DEVELOPING THE STATE GUIDELINES UNDER PARAGRAPH (1) OF THIS SUBSECTION, INCLUDING:

- (I) LOCAL SCHOOL SYSTEMS;
- (II) MIDDLE AND HIGH SCHOOL PRINCIPALS;
- (III) SCHOOL NURSES, OTHER SCHOOL-BASED HEALTH AND BEHAVIORAL HEALTH PROVIDERS, AND OTHER SUPPORT PERSONNEL;
- (IV) HEALTH CARE PROVIDERS OF VARIOUS PRACTICE AREAS;
- (V) PARENTS; AND
- (VI) THE MARYLAND CONSORTIUM ON COORDINATED COMMUNITY SUPPORTS.

(3) IN DEVELOPING THE STATE GUIDELINES UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE DEPARTMENT AND THE MARYLAND DEPARTMENT OF HEALTH SHALL CONSIDER OPERATIONAL, LEGAL, AND FINANCIAL ISSUES, INCLUDING:

- (I) EQUITY AND PRIORITIZATION OF ACCESS;
- (II) STUDENT AND PARENTAL RIGHTS AND RESPONSIBILITIES, INCLUDING STUDENT PRIVACY, INFORMED CONSENT, PARENTAL CONSENT, AND COMMUNICATIONS WITH PARENTS;

(III) SCHOOL SYSTEM RIGHTS AND RESPONSIBILITIES;

(IV) THE ROLE AND RESPONSIBILITIES OF HEALTH CARE PROVIDERS PROVIDING TELEHEALTH SERVICES, INCLUDING INFORMED CONSENT, COLLECTION OF MEDICAL HISTORY AND INSURANCE INFORMATION, FOLLOW-UP CARE, AND PATIENT COMMUNICATIONS;

(V) THE ROLE AND RESPONSIBILITIES OF SCHOOL NURSES AND OTHER SCHOOL-BASED HEALTH, BEHAVIORAL HEALTH, AND OTHER SUPPORT PERSONNEL;

(VI) THE ROLE OF THE STUDENT HEALTH PLAN;

(VII) TELEHEALTH SERVICES RELATED TO A STUDENT'S INDIVIDUALIZED EDUCATION PROGRAM OR SECTION 504 PLAN;

(VIII) PROTOCOLS TO PROVIDE IN-PERSON SUPPORT IF TELEHEALTH APPOINTMENTS CREATE A CHALLENGE TO A STUDENT RETURNING TO THE CLASSROOM, ESPECIALLY RELATING TO MENTAL HEALTH COUNSELING OR TREATMENT;

(IX) PROTOCOLS FOR MISSED INSTRUCTION DUE TO STANDING OR CONSISTENTLY SCHEDULED APPOINTMENTS;

(X) OPERATIONAL ISSUES, INCLUDING COORDINATION OF SERVICES, APPROVAL AND VERIFICATION OF APPOINTMENTS, INCLUDING APPOINTMENTS WITHOUT PARENTAL KNOWLEDGE OR CONSENT, SCHOOL RESOURCE ALLOCATION, AND THE USE OF TREATMENT SPACE;

(Over)

(XI) SCHOOL SYSTEM, PARENT, AND HEALTH CARE PROVIDER LIABILITY;

(XII) HEALTH INSURANCE, INCLUDING MEDICAID;

(XIII) THE FEASIBILITY OF DESIGNATING A SCHOOL BUILDING SPACE THAT:

1. IS PRIVATE AND SAFE TO ALLOW FOR CONFIDENTIAL CONVERSATION BETWEEN A HEALTH CARE PROVIDER AND A STUDENT;

2. HAS INTERNET ACCESS;

3. INCLUDES AT LEAST ONE SEATING OPTION WITH A FLAT SURFACE AND A NEARBY ELECTRICAL OUTLET TO ACCOMMODATE PLACEMENT OF A LAPTOP DEVICE; AND

4. IS NOT A BATHROOM OR CLOSET; AND

(XIV) ANY OTHER ISSUES DETERMINED RELEVANT BY THE DEPARTMENT, THE MARYLAND DEPARTMENT OF HEALTH, OR A STAKEHOLDER.

(4) THE STATE BOARD SHALL ADOPT THE STATE GUIDELINES DEVELOPED UNDER PARAGRAPH (1) OF THIS SUBSECTION.

(C) BEFORE THE START OF THE 2025–2026 SCHOOL YEAR, EACH COUNTY BOARD SHALL ADOPT AND IMPLEMENT A STUDENT TELEHEALTH POLICY IN

**ACCORDANCE WITH THE STATE GUIDELINES ADOPTED UNDER SUBSECTION (B)
OF THIS SECTION.**;

in line 22, strike “**REQUIRE**” and substitute “**;**”;

(1) REQUIRE”;

and in line 25, after “**SECTION**” insert “**;** **OR**”

**(2) ALTER THE RESPONSIBILITIES OF A HEALTH CARE PROVIDER
REGARDING THE DISCLOSURE OF MEDICAL RECORDS UNDER TITLE 4, SUBTITLE
3 OF THE HEALTH – GENERAL ARTICLE, INCLUDING THE AUTHORITY TO
DISCLOSE A MEDICAL RECORD IN THE CASE OF AN EMERGENCY**”.