

HOUSE BILL 901

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6lr2907

By: **Delegates Roberts, Griffith, Amprey, Harrison, A. Johnson, Patterson, Roberson, Taylor, and Woods**

Introduced and read first time: February 5, 2026

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Education – Public School Students – Recognition of External Diagnosis of**
3 **Autism**

4 FOR the purpose of requiring a school to recognize a student’s external diagnosis of autism
5 from certain professionals until the school completes an initial evaluation; requiring
6 a school to initiate an evaluation of a student within a certain time frame and under
7 certain circumstances; requiring a school to provide certain supports to a student
8 during a certain evaluation and until a certain determination is made; and generally
9 relating to the recognition of an external diagnosis of autism in public school
10 students.

11 BY repealing and reenacting, without amendments,
12 Article – Education
13 Section 8–404(a)
14 Annotated Code of Maryland
15 (2022 Replacement Volume and 2025 Supplement)

16 BY adding to
17 Article – Education
18 Section 8–404(e)
19 Annotated Code of Maryland
20 (2022 Replacement Volume and 2025 Supplement)

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

23 **Article – Education**

24 8–404.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(a) The State Board shall adopt, as regulations, standards for the identification, evaluation, educational placement, and the provision of a free appropriate public education of each child in this State who has begun the school year under the age of 21 and is found to need special education and related services, whether or not the child is receiving nonduplicative services from another governmental agency.

(E) (1) A SCHOOL SHALL RECOGNIZE A STUDENT'S EXTERNAL DIAGNOSIS OF AUTISM FROM A MEDICAL, MENTAL HEALTH, OR EDUCATIONAL PROFESSIONAL AS A DIAGNOSIS UNTIL AN INITIAL EVALUATION OF THE STUDENT IS COMPLETED BY THE SCHOOL.

(2) FOR THE PURPOSES OF THIS SUBSECTION, A MEDICAL, MENTAL HEALTH, OR EDUCATIONAL PROFESSIONAL INCLUDES:

(I) A LICENSED DEVELOPMENTAL PEDIATRICIAN;

(II) A LICENSED CLINICAL PSYCHOLOGIST;

(III) A LICENSED PSYCHIATRIST;

(IV) A LICENSED CLINICAL SOCIAL WORKER WITH AUTISM DIAGNOSIS TRAINING;

(V) A LICENSED SPEECH-LANGUAGE PATHOLOGIST WORKING AS PART OF A MULTIDISCIPLINARY DIAGNOSTIC TEAM; AND

(VI) A LICENSED OCCUPATIONAL THERAPIST WORKING AS PART OF A MULTIDISCIPLINARY DIAGNOSTIC TEAM.

(3) A SCHOOL SHALL INITIATE A SCHOOL-BASED EVALUATION OF A STUDENT WITHIN 30 DAYS AFTER RECEIVING:

(I) AN EXTERNAL DIAGNOSIS OF AUTISM; AND

(II) WRITTEN CONSENT FROM THE STUDENT'S PARENT.

(4) (I) DURING THE EVALUATION PERIOD, A SCHOOL SHALL PROVIDE TO A STUDENT WITH AN EXTERNAL AUTISM DIAGNOSIS THE SUPPORTS RECOMMENDED IN THE DIAGNOSIS.

(II) A SCHOOL MAY PROVIDE ALTERNATIVE SUPPORTS TO A STUDENT WHEN A SPECIFIC RECOMMENDATION:

1. CONFLICTS WITH FEDERAL OR STATE LAW; OR

1 **2. PRESENTS A SAFETY RISK.**

2 **(III) A SCHOOL SHALL CONTINUE TO PROVIDE SUPPORTS TO A**
3 **STUDENT UNTIL:**

4 **1. THE SCHOOL-BASED EVALUATION IS COMPLETED;**
5 **AND**

6 **2. A DETERMINATION IS MADE REGARDING WHETHER A**
7 **STUDENT SHOULD CONTINUE TO RECEIVE SUPPORTS.**

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
9 1, 2026.