



Karen B. Salmon, Ph.D.
State Superintendent of Schools

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| BILL: | House Bill 1148 | DATE: | March 2, 2021 |
| SUBJECT: | Secretary of Health-School- Based Health Centers-Guidelines and Administration of Grants | COMMITTEE: | Health and Government Operations |
| POSITION: | Information Only | | |
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EXPLANATION:

The Maryland State Department of Education (MSDE) is providing information for consideration regarding **House Bill (HB) 1148** – *Secretary of Health-School-Based Health Centers-Guidelines and Administration of Grants*, which specifies that the Secretary of Health, in consultation with the MSDE and other stakeholders develop guidelines to support the expansion of school-based health centers. HB 1148 also requires the Maryland Department of Health (MDH), in conjunction with the MSDE, to report to the General Assembly on a plan to transfer the administration of school-based health center (SBHC) grants from the MSDE to the Bureau of Maternal and Child Health within the MDH on or before October 1, 2021. This will include the Governor transferring the administration of school-based health center grants and any related functions from the MSDE to the Bureau of Maternal and Child Health within the MDH on or before July 1, 2022.

The Maryland State Department of Education has administered the school-based health center grants for several years. This legislation will remove the oversight of school-based health centers from the MSDE, the agency responsible to parents and families for student safety, health, and education in Maryland schools. In Maryland, mandated school health services for all students in every public school are under the purview of the school health specialist. School-based health centers are an additional service in some schools. Students must enroll in the SBHC and referral of enrolled students is managed by the school health specialist. Students and parents view the SBHC as under the oversight of the school and school system. Family Education Rights and Privacy Act (FERPA) regulations guide the protection and privacy of student records in schools.

If the school-based health centers are under the administration of an entity other than the school system these safeguards may not remain in place. Removing the MSDE from the administration of the grant will change the accountability structure and remove the trust that parents place in the school nurse, the principal, and the superintendent in the local school systems. In addition, school space and facilities are used to provide services.

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Should a problem occur while receiving services, parents may assume that the school system is responsible since the program is offered through the school. If the MSDE is no longer allowed to establish the requirements for the provision of school-based health center services, there will be no way to know if the provider is appropriate, understands school policies and procedures, emergency practices, and student safeguards such as FERPA. Issues such as reporting attendance and time in class need to be enforced following school policies.

During this period of combating the COVID pandemic and working to reopen school buildings, upending current structures and requiring both MSDE and MDH to complete a report on a plan to transfer the administration of school-based health center grants from the MSDE to the Bureau of Maternal and Child Health within the MDH by October 1, 2021 will tax the already thinly stretched staff at the MSDE and MDH in the upcoming months.

The Maryland State Department of Education remains dedicated to supporting the expansion and maintenance of school-based health centers. We respectfully request that you consider this information as you deliberate HB 1148. For further information, please contact Zachary Hands, at 410-767-0504, or Zachary.hands1@maryland.gov.