

BILL: House Bill 609
TITLE: Public and Nonpublic Schools - Bronchodilator Availability and Use - Policy (Bronchodilator Rescue Inhaler Law)
DATE: February 5, 2021
POSITION: OPPOSE
COMMITTEE: Ways and Means
CONTACT: John R. Woolums, Esq.

The Maryland Association of Boards of Education (MABE) opposes House Bill 609 in favor of providing the school health needs of students with bronchodilators and related health services through the administration of individual student health plans.

MABE is very concerned about the risks and unintended consequences associated with this legislation. This bill would require each local board to establish a policy to authorize not only the school nurse but also other designated personnel to administer a bronchodilator to a student. Further, the bill would require that these new policies cover instances when a student is determined to have asthma, or is experiencing asthma-related symptoms, or is perceived to be in respiratory distress, regardless of whether the student has been diagnosed with asthma or has a prescription for a bronchodilator.

MABE has supported legislation in recent years to ensure that school health guidelines are updated and strengthened. MABE has recently supported legislation enacted to ensure that school health plans adequately address students with diabetes and students with sickle cell disease. These bills were enacted to ensure a high degree of care and heightened awareness among school personnel regarding the needs of students with diabetes, sickle cell disease, and other health conditions including seizure disorders.

Local boards of education place a very high priority on student health, by ensuring that schools are operating in accordance with adopted state school health guidelines and local policies and procedures intended to provide a health and safe school environment conducive to student learning.

MABE also wants to assure the legislature that local school systems are already operating in accordance with Maryland law that provides for emergency care planning for all students under the Code of Maryland Regulations 7-401 and 7-426. Under the law, MSDE and the Maryland Department of Health must provide technical assistance to schools to: implement the adopted guidelines, train school personnel at the local level; and develop a process to monitor the implementation of the guidelines. The law also establishes the office of the school health services program coordinator, who is responsible for implementing State and local health policies in the public schools; ensuring that public schools adhere to local health services guidelines; and communicating State and local health policies to the parents and guardians of public school students.

For these reasons, MABE requests an unfavorable report on House Bill 609.