



Committee: House Health and Government Operations Committee
Bill Number: House Bill 609
Bill Title: Public and Nonpublic Schools – Bronchodilator Availability and Use - Policy
Hearing Date: February 5, 2021
Position: Oppose

The Maryland Association of School Health Nurses (MASHN) and the Maryland Nurses Association (MNA) opposes *House Bill 609 – Public and Nonpublic Schools – Bronchodilator Availability and Use – Policy*. The bill’s provisions seek to increase the availability of staff and supplies for the treatment of children with asthma symptoms in schools.

While MASHN and MNA support efforts to expand the availability of stock inhalers (bronchodilators) for students diagnosed with asthma, the bill raises serious safety concerns because the provisions also enable the provision of stock inhalers to students without an asthma diagnosis:

- **Compromising the health of students who have other illnesses that present asthma symptoms:** There are many other illnesses which trigger symptoms that appear as asthma. These illnesses include: bronchitis, pneumonia, and other respiratory infections.

It would be clinically inappropriate and potentially dangerous for a school nurse to administer a bronchodilator to a student without an order from the child’s health care provider. While the use of the asthma inhaler could temporarily alleviate the child’s respiratory issues, it may masquerade the symptoms of other serious illnesses and delay appropriate treatment. The risk to students is even greater if non-clinicians administer bronchodilators to students without an asthma diagnosis.
- **Implications of COVID-19:** School nurses are implementing constantly involving guidelines related to addressing students with respiratory symptoms because of COVID-19.

- Under “ COVID-19 Guidelines for Maryland Schools”, the Maryland State Department of Education and the Maryland Department of Health state that a “COVID-19-like illness is when a person has Any 1 of the following: cough, shortness of breath, difficulty breathing, new lost of taste or smell.”ⁱ Individuals with these symptoms should not be in school, and if these symptoms are identified, the schools must follow appropriate protocols. This directive considerably complicates the question of a non-clinician administering a bronchodilator to a student without a prior asthma diagnosis;
 - According to the CDC’s “K-12 Schools and Childcare Programs FAQs for Administrators, Teachers, and Parents, the CDC is “is not aware of data regarding practices to prevent transmission of the virus that causes COVID-19 or other respiratory viruses, when multiple people share one asthma inhaler.”ⁱⁱ For now, the CDC recommends schools follow the protocols recommended by the American Lung Association for stock inhalers. Those protocols include sanitizing procedures. *Without more data, MASHN and MNA are uncertain of the implications of involving non-clinicians in administering stock inhalers.*
- **Lack of Vetting Under Existing School Health Guidelines:** This proposal has not been vetted by the Departments of Education and Health. When there are any proposed new guidelines, it is helpful for the State agencies to convene stakeholders to navigate clinical safety and implementation issues.
 - **Conflicts with Nurse Practice Act:** The bill appears to conflict with the Nurse Practice Act. Health Occupations Article § 8-311 prohibits licensed practical nurses from administering prescription drugs without a prescription. Some school nurses are licensed practical nurses;

Thank you for your consideration of our testimony. We ask for an unfavorable report on the bill. If we can provide any additional information, please contact Kristy Gorman of MASHN and kristygorman@gmail.com or Robyn Elliott of MNA at relliott@policypartners.net.

ⁱ

https://phpa.health.maryland.gov/Documents/Jan%202021_%20MD%20Schools%20Guidance%20and%20Benchmarks_FINAL_Jan7_v2.pdf

ⁱⁱ <https://www.cdc.gov/coronavirus/2019-ncov/downloads/FAQ-schools-child-care.pdf>