



**HOUSE APPROPRIATIONS COMMITTEE**

**House Bill 1098**

**Public Institutions of Higher Education – Students with Chronic Health Conditions –  
Case Manager**

**March 8, 2022**

**Joann Boughman, Senior Vice Chancellor for Academic and Student Affairs  
Unfavorable**

Chair McIntosh, Vice Chair Chang and committee members, thank you for the opportunity to share our thoughts on House Bill 1098. The bill requires public institutions of higher education to hire case managers to coordinate services for students with chronic health conditions, provide information to students regarding the access to supports and services, and collect and report a significant amount of information on these students.

Students with chronic health conditions that identify themselves to appropriate campus officials deserve support. Information about the availability of services is readily available to students under the federal Americans with Disabilities Act (ADA). Adding a unit of required professional personnel would be a financial challenge to some of our campuses.

House Bill 1098 presents several challenges for implementation because the definition of chronic health condition is vague and would require health experts to certify if a student had a chronic condition in need of ongoing medical attention. The bill confounds medical treatment with certain support services, and each campus has a different level of capability to provide those medical services that might be necessary. The case manager, as defined in this bill, implies the need for a medical professional. The language requires sharing of data among medical and nonmedical units which is problematic, as all medical information is protected under Health Insurance Portability and Accountability Act of 1996 (HIPAA). Medical units would not want to receive medical information for students who are not their patients, and the sharing of this personal information outside of the medical treatment unit could be problematic. Concern has been expressed about the health and medical privacy of University System of Maryland (USM) students if House Bill 1098 were law.

The reporting that is required is extensive and implies the ability to measure quality and effectiveness without definition. The reporting of these outcomes on students who are patients in a health center is qualitatively different than reporting aggregated outcomes from the ADA/Disability Services office for students who have identified themselves as requiring support services. Because of the structure of campus student services, there may be important ways that collection of data across departments becomes complicated and may not be possible while complying with HIPAA rules. For example, career services offices work very differently than

academic counseling or housing and dining arrangements, and these offices do not depend on HIPAA protected private information.

Our expectation is that students who require support services would report to the Office of Disability Services, where coordination of services and follow up take place. This would include students with “invisible” chronic health conditions as well as other disabilities. USM campuses will continue to improve the notification and messaging of the availability of support services. Additionally, USM’s Vice Presidents for Student Affairs work closely with their ADA/Disabilities Office and their Health Center Director to improve the follow up of students who have conditions requiring additional support and service.

The continuing safety, health and success of students is the top priority. The USM acknowledges that there are students who may need more information and encouragement to seek the many support services available on our campuses.

However, the USM respectfully requests an unfavorable report on House Bill 1098.



### **About the University System of Maryland**

The University System of Maryland (USM)—one system made up of 12 institutions, three regional centers, and a central office—awards 8 out of every 10 bachelor’s degrees in the State of Maryland. The USM is governed by a Board of Regents, comprised of 21 members from diverse professional and personal backgrounds. The chancellor, Dr. Jay Perman, oversees and manages the operations of USM. However, each constituent institution is run by its own president who has authority over that university. Each of USM’s 12 institutions has a distinct and unique approach to the mission of educating students and promoting the economic, intellectual, and cultural growth of its surrounding community. These institutions are located throughout the state, from western Maryland to the Eastern Shore, with the flagship campus in the Washington suburbs. The USM includes Historically Black Colleges and Universities, comprehensive institutions, research universities, and the country’s largest public online institution.