

SB 95 - Support - Public Schools – Anaphylactic Fo

Uploaded by: Ary Amerikaner

Position: FAV



Mohammed Choudhury
State Superintendent of Schools

BILL: Senate Bill 95 **DATE:** February 3, 2022

SUBJECT: Public Schools – Anaphylactic **COMMITTEE:** Education, Health, and
Food Allergies – Guidelines and Environmental Affairs
Requirements

POSITION: Support

CONTACT: Ary Amerikaner
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ary.amerikaner@maryland.gov

EXPLANATION:

The Maryland State Department of Education (MSDE) supports **Senate Bill 95 – Public Schools – Anaphylactic Food Allergies – Guidelines and Requirements**, which specifies that county boards of education are required to adopt, implement, and publish certain guidelines and strategies for reducing the risk to students with anaphylactic food allergies.

MSDE advocates for the health and safety of reducing the risk to students with anaphylactic food allergies and the guidelines cited in this bill are necessary to promote a healthy and safe school environment for students and staff who may be at risk for anaphylactic food allergies in the school setting. With the increased number of students diagnosed with food allergies in the school setting, it is necessary for schools to provide increased prevention education, awareness, and resources for the management of anaphylaxis due to food allergy reaction and other causes of anaphylaxis (e.g., insect bites, certain medications).

While the symptoms of anaphylaxis can be different between individual persons and also different for one individual over time, it is necessary for schools to implement prevention education and school health services guidelines to recognize the signs and symptoms of an anaphylactic reaction and treatment to prevent serious health problems or death.

MSDE, in collaboration with the Maryland Department of Health (MDH), will update and finalize the State school health services guidelines for anaphylaxis to be published on the MSDE website. The local county boards should use the state school health services guidelines for anaphylaxis to develop local guidelines, policies, procedures, and protocols to reduce the risk of exposure to anaphylactic causative agents in the school setting, including classrooms, common areas, cafeterias, and school sponsored events.

Senate Bill 95 - Public Schools-Anaphylactic Food Allergies – Guidelines and Requirements
Senate Education, Health, and Environmental Affairs Committee
February 3, 2022

MSDE is dedicated to supporting a safe and healthy school environment to reduce the risk of exposure to anaphylactic causative agents in the school setting, including classrooms and common areas. Adoption and implementation of the guidelines developed by MSDE and MDH at the local school system level for anaphylaxis are necessary to outline the roles and responsibilities of parents, administrators, school health care staff, food services employees, and school operations/school facilities staff, while fostering effective communication and collaboration between school staff, students, and parents.

We respectfully request that you consider this information in support of **Senate Bill 95**. Please contact Ary Amerikaner, at 410-767-0090, or ary.amerikaner@maryland.gov, for any additional information.

AAN Testimony_MD Hearing on SB95_school guidelines

Uploaded by: Charmayne Anderson

Position: FAV



**Senate Committee on Education, Health, and Environmental Affairs on
Public Schools - Anaphylactic Food Allergies - Guidelines and Requirements (SB 95)
Maryland General Assembly
February 1, 2022**

Allergy & Asthma Network, a national nonprofit dedicated to protecting and improving the health of people with allergies, asthma and related conditions, supports SB 95 – relating to school guidelines and regulations to protect students with severe food allergies.

There are 32 million Americans living with severe allergies to food, insect venom, medication and latex. Many of them are at risk for anaphylaxis (a severe, life-threatening allergic reaction). Anaphylaxis causes approximately 1,500 deaths annually. Today, one in 13 children has food allergies, or roughly two in every classroom. Nearly 40 percent of these children have already experienced a severe or life-threatening allergic reaction. Severe allergic reactions should always be handled as a medical emergency. A Food Allergy Management and Prevention Plan is recommended by the U.S. Centers for Disease Control and Prevention (CDC) as best practice in their Voluntary Guidelines (See https://www.cdc.gov/healthyyouth/foodallergies/pdf/13_243135_a_food_allergy_web_508.pdf).

To further protect school-aged children who experience anaphylaxis and address preventable deaths caused by food allergies, Maryland passed a law in 2012 authorizing school personnel to administer epinephrine to any student who is perceived to be experiencing anaphylaxis regardless if the student has a prescription. This led to the [School Access to Emergency Epinephrine Act](#) signed into law in 2013. The law provides a funding incentive to states that enact laws allowing school personnel to stock and administer emergency supplies of epinephrine.

Comprehensive food allergy guidelines ensure a safe and effective educational environment for students with severe food allergies. They complement the required training to recognize the symptoms of anaphylaxis and administering epinephrine.

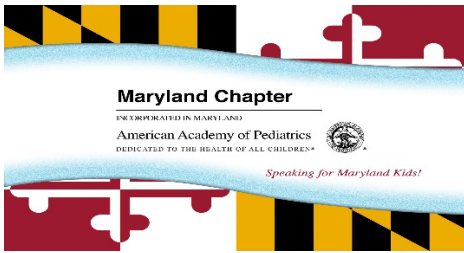
We urge the Senate Committee to move swiftly and pass SB 95. Adoption is vital to help children make the transition between a safe home environment and school. It will prepare the school staff to respond appropriately when a severe or life-threatening allergic reaction occurs.

We appreciate your consideration and hope this legislation becomes law in the state of Maryland.

SB0095_FAV_MDAAP_PS - Anaphylactic Food Allergies

Uploaded by: Christine Krone

Position: FAV



TO: The Honorable Paul G. Pinsky, Chair
Members, Senate Education, Health, and Environmental Affairs Committee
The Honorable Clarence K. Lam

FROM: Christine K. Krone
Pamela Metz Kasemeyer
J. Steven Wise
Danna L. Kauffman

DATE: February 3, 2022

RE: **SUPPORT** – Senate Bill 95 – *Public Schools – Anaphylactic Food Allergies – Guidelines and Requirements*

The Maryland Chapter of the American Academy of Pediatrics (MDAAP) is a statewide association representing more than 1,100 pediatricians and allied pediatric and adolescent healthcare practitioners in the State and is a strong and established advocate promoting the health and safety of all the children we serve. On behalf of MDAAP, we submit this letter of support for Senate Bill 95.

Senate Bill 95 requires each county board of education to adopt, implement, and publish guidelines in accordance with the Maryland State school health service guidelines to reduce the risk of exposure to anaphylactic causative agents in classrooms and common areas; to publish the guidelines on its website; and lastly requires each public school to develop a system to disclose, reasonably in advance, the foods served in the school and the major food allergens contained in the food.

Food allergy is estimated to affect approximately 1 in 25 school-aged children and is the most common trigger of anaphylaxis in this age group. School food-allergy management requires strategies to reduce the risk of ingestion of the allergen as well as procedures to recognize and treat allergic reactions and anaphylaxis. In 2009, the Maryland State Department of Education published voluntary guidance on the management of students at risk for anaphylactic reaction and some school districts implemented the recommendations. This bill will strengthen current guidance by requiring all school districts to have strong, clear, written policies to prevent and address anaphylaxis. For these reasons, MDAAP supports Senate Bill 95.

For more information call:

Christine K. Krone
Pamela Metz Kasemeyer
J. Steven Wise
Danna L. Kauffman
410-244-7000

LAM_SB95_FAV.pdf

Uploaded by: Clarence Lam

Position: FAV

CLARENCE K. LAM, M.D., M.P.H.
Legislative District 12
Baltimore and Howard Counties

Education, Health, and Environmental Affairs
Committee
Chair, Environment Subcommittee

Executive Nominations Committee

Joint Committee on Ending Homelessness

Senate Chair

Joint Audit and Evaluation Committee

Joint Committee on Fair Practices and
State Personnel Oversight

Vice Chair

Baltimore County Senate Delegation

Chair

Howard County Senate Delegation

Chair

Asian-American & Pacific-Islander Caucus



THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

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Public Schools - Anaphylactic Food Allergies - Guidelines and Requirements

Why SB 95 is needed:

- In 2009, The Maryland State Department of Education and Department of Health issued voluntary guidance on food allergies in schools, anticipating that they would develop their own guidelines.
- But currently, over half of Maryland's 24 public school districts are missing food allergy policies on their websites and several are missing individual item allergy information.
- Among districts that do have food allergy policy information, the amount of information and the details vary greatly.
- Research shows that children are at the highest risk for anaphylaxis and suffering a fatal allergic reaction, especially for children that may not be able to identify and avoid all sources of their allergen(s).
- An estimated 18% of children with food allergies have had an allergic reaction while at school.

The purpose of SB 95 is to:

- Require each county board of education to adopt and implement guidelines in accordance with the Maryland State School Health Service guidelines. The goal of which is to reduce the risk of exposure to anaphylactic agents to students with food allergies.
- Provide formal guidance and roles and responsibilities to school administrators, teachers, and staff to keep students with allergies safe.
- Provide transparency to students and their parents/guardians regarding what allergens they can expect to be present in school meals.
- Provide a standard of care to ensure Maryland public school students are protected and can fully participate in all school functions.

- Have each public school develop a system to disclose foods served in the school and major food allergens contained.
- Ensure schools post, in a conspicuous location in the cafeteria, a list of all foods being served and any major food allergens contained.
- Establish procedures for self-administration of medication or an employee to respond in good faith to an anaphylactic reaction of a child.

MAND testimony 2022 - Support - SB95 - Public Scho

Uploaded by: Daniel Shattuck

Position: FAV

MARYLAND ACADEMY OF NUTRITION AND DIETETICS



Date: February 3, 2022

Bill: Senate Bill 95 - Public Schools - Anaphylactic Food Allergies - Guidelines and Requirements

Committee: Senate Education, Health and Environmental Affairs Committee
The Honorable Paul Pinsky, Chair

Position: **Support**

The Maryland Academy of Nutrition and Dietetics (MAND) represents nearly 1200 Registered & Licensed Dietitian/Nutritionists in the state who work in a variety of facilities and agencies to provide education related to nutrition for the benefit of the health our citizens. We would like to support **SB95: Public Schools - Anaphylactic Food Allergies - Guidelines and Requirements**

Anaphylaxis is a severe allergic reaction that is rapid in onset and may cause death. Since it is unpredictable and potentially fatal, prompt recognition and treatment are vital to maximize a positive outcome. The occurrence of anaphylaxis is increasing across all ages in the United States, with increased risk of worse outcome in teenagers/young adults and in those with comorbid conditions such as asthma.

Gaps in the assessment of patient-specific risk factors, identification and prevention of triggers, recognition of signs/symptoms, and pharmacologic treatment of anaphylaxis have been identified at the physician and caregiver/patient level. This is a well written bill that covers so many issues related to this serious problem for students who experience anaphylaxis in school.

We urge you to **support SB95** bill for the good of the thousands of students that are affected by Anaphylactic Food Allergies.

Thank you for your consideration,

Susan O'Malley, MS, RD, LDN
MAND State Policy Representative

Teresa L. Turner, MS, RD, LDN, SNS, FAND
MAND President & School Nutrition Specialist

FARE SB 95 FAV - Food Allergies.pdf

Uploaded by: Jason Linde

Position: FAV



STATEMENT OF FARE (Food Allergy Research and Education)
before the
Maryland Senate Education, Health, and Environmental Affairs Committee
February 3, 2022
Position: **FAVORABLE SB 95**

Chair Pinsky and members of the Education, Health, and Environmental Affairs Committee:

On behalf of the approximately 27,500 Maryland public school students with life-threatening food allergies, [FARE](#) (Food Allergy Research and Education), the world's leading non-governmental organization engaged in food allergy advocacy and the largest private funder of food allergy research, strongly supports Senator Lam's legislation, SB 95 – Public Schools – Anaphylactic Food Allergies – Guidelines and Requirements. We appreciate her leadership and are grateful for her efforts to protect our state's children by updating the voluntary guidance issued to schools regarding managing food allergies in 2009 by the Maryland State Department of Education and the Department of Health.

Since that voluntary guidance was issued, the [Centers for Disease Control and Prevention \(CDC\)](#) found that over the past 20 years, the rates of children with food allergies has more than doubled and for children with a peanut or tree nut allergy, it has tripled. Life-threatening food allergies and the risk of fatal [anaphylaxis](#) are growing at an even faster rate among [Black and Asian-American children](#).

While food allergies are on the rise nationally, a [2021 study](#) found that children on Medicaid were less than one-tenth as likely as children on private health insurance to be diagnosed with a food allergy. This is especially troubling in Maryland as the Kaiser Family Foundation found in 2019 that [one in every three children in Maryland are on Medicaid](#).

As you might imagine, this combination of underdiagnosis coupled with the dramatic increase in food allergy prevalence makes our public schools the site of the majority of our children's anaphylactic attacks as a [2016 NIH study](#) reported with 25% of all attacks occurring in children with "no known food allergies." For the underdiagnosed and diagnosed children with life threatening food allergies, SB 95 provides a standard of care at our public schools to ensure that regardless of where our children call home in our great state – they are protected and can fully participate in all school functions.

SB 95 is a reasonable bill that sets appropriate standards for our state's county school districts while giving each school district the freedom to develop specific plans to meet the requirements. In addition, it will provide children, parents and caregivers with the information they need about what allergens are present in their school meals by posting menu information online. These allergens are the same ones that Marylanders will find labeled at grocery stores under [FALCPA \(Food Allergy Labeling and Consumer Protection Act\)](#) and we are grateful that Senator Lam included sesame which will begin being labeled on January 1, 2023.

Senate Bill 95 protects Maryland's school children by providing a critical, reasonable solution while addressing an unmet need. FARE asks for a favorable report.

Jason Linde
Senior Vice President, Government and Community Affairs

Contact: Jlinde@foodallergy.org

SB 95 FAV - Kari Keaton - Food Allergies-2-1.pdf

Uploaded by: Kari Keaton

Position: FAV

Kari Keaton
Senate Education, Health, and Environmental Affairs Committee
February 3, 2022

Position: **FAVORABLE – SB 95**

Dear Chair Pinsky and members of the Education, Health, and Environmental Affairs Committee:

I live in Rockville, Maryland, and I am a parent of two sons with life threatening (anaphylactic) food allergies, each of them to multiple foods. Between the two of them, they have allergies to 6 of the 9 major allergens. I am here to strongly support Senate Bill 95. My sons are now 29 and 23 years-old, so they are long past their days in Montgomery County Public Schools. I am thankful that they avoided serious food reactions during their time in public school, which required many meetings with school personnel each school year to ensure their proper care and safety.

I think I first testified before this committee in 2007 on a bill that required the development of Maryland State School Health Services Guideline for Management of Students at Risk for Anaphylactic Reaction. I participated on the committee with the Department of Education and the Department of Health & Mental Hygiene to develop the state guidelines which were published in 2009. School districts were encouraged to use the state guidelines to develop their own guidelines, but I understand that this didn't happen in all of the school districts in the state, hence the need for this new bill to require them to do so.

Since 1999 I have been a member, and for most of that time, the facilitator for the Metro DC Food Allergy Support Group. We started with 7 families, grew to 300 families and currently still have 150 active families. The group is composed of parents of food-allergic kids sharing information on managing all aspects of life with a food-allergic child. We have members that live in several Maryland counties. Many parents join the group when they are about to send their child to school for the first time to get help on how to ensure their child's safety from food-allergic reactions. Over the years, this topic has been the most discussed on our group's active listserv and at monthly meetings. If there were published guidelines in each school district they would provide the starting point for parents to prepare for their meetings with their child's school. These meetings need to happen every year as there are always changes that occur that need to be discussed and care plans must be updated.

The second most discussed topic among our support group members is restaurant dining. Senate Bill 95 goes further than the 2009 published state guidelines by requiring the labeling of ingredients of all food served in the school cafeteria. I fully support this addition to the school guidelines. This labeling is required by federal law for all packaged foods, and many restaurants have voluntarily started publishing the major food allergens in their food. While my sons did not eat any cafeteria food during their public school life, I did learn the value of this kind of menu labeling when one of my sons attended college and the food service at his college did publish the ingredients of their food, including highlighting the major food allergens. My son was able to eat safely at the college dining hall. I am very thankful that Senator Lam included this in the bill so that kids in public school can eat safely in their cafeteria.

Senate Bill 95 outlines all areas that need to be addressed to ensure safety of food-allergic students at school. I ask the committee for a favorable report on SB 95.

SB 95 FAV - Kristen Ayres - Food Allergies.pdf

Uploaded by: Kristen Ayres

Position: FAV

Kristen Ayres
Maryland Senate Education, Health, and Environmental Affairs Committee
February 3, 2022
Position: **FAVORABLE - SB 95**

Chair Pinsky and members of the Education, Health, and Environmental Affairs Committee:

I'm the parent of two children in FCPS (Frederick County Public Schools) for the past 8 years. Students with severe food allergies and their families have to deal with a lot of uncertainty and stress. As a parent of one child with a life threatening allergy to nuts and a second child also allergic to nuts plus wheat and egg, I constantly worry about their safety at school. Without the policies the county instituted I would not feel safe sending them on the bus, on a field trip or into a classroom.

Schools can help to diminish that stress by adopting clear guidelines for management of severe food allergies. FCPS put such a policy in place over 7 years ago. My family is pleased with the high level of support FCPS provides to ensure the right care is available if an accidental exposure occurs. The FCPS policy on severe food allergies and the administration of forms and subsequent training has helped create a safer environment for our children. These forms, consistent and concise, make it easier for the teacher or staff person to quickly react in a way that will give the child the best chance of survival.

Every student's food allergies and medical plan in case of exposure to their allergen is different, but school districts can and should plan ahead by adopting a strong policy that lays the foundation for commonsense and needed protections for students. I hope that every public school district in Maryland takes action as Frederick has done.

Senate Bill 95 protects Maryland's school children and gives parents peace of mind by ensuring the collection and distribution of critical care information and appropriate standards at all Maryland public schools.

Testimony In Support of SB 95 - HB 154 - Senate EH

Uploaded by: Rich Ceruolo

Position: FAV



January 28, 2022

Maryland Senate
11 Bladen St.
Annapolis, MD. 21401

In Support of SB 95 / HB 154: Public Schools – Anaphylactic Food Allergies – Guidelines and Reqs.

Members of the Maryland Senate's Education, Health and Environment Committee.

We are an organization of military and non-military families with over 1300 members and fully support revising the state's education regulations around developing and implementing improved food safety plans for a variety of school settings for individuals with disabilities, food allergies and behavioral health issues. Working to Reduce the risk of exposure to caustic agents that might harm those individuals and students with food allergies in classrooms and common areas of schools.

Many of the children that we represent need the vital protections of guidelines around food allergies by service providers in order to protect the health and wellbeing of our vulnerable student populations, those with disabilities, and or food allergies.

Too often children with disabilities have their services cut, curtailed or underfunded. As part of Maryland's new Blueprint Education Law, our kids with disabilities should have all that they need to be successful in school and in life. And the process of implementing the Blueprint for our kids should include an improvement within the safety planning for these service providers across all school environments.

We trust that these improvements to the state guidelines will help to further support and protect all Maryland students. The future success and health of all of our students depends on many necessary improvements and supports being in place, during these unusual times, as we also begin the long tasks related to implementing the Blueprint for Maryland's Future and improving the lives of all our kids. Thank you all for supporting the education, health, safety and wellbeing of all students, especially those with disabilities and food allergies.

Please support SB 95 / HB 154 and return a favorable report. Thank you for your time, and for considering our testimony today.

Mr. Richard Ceruolo | richceruolo@gmail.com

Parent, Lead Advocate and Director of Public Policy

Parent Advocacy Consortium | <https://www.facebook.com/groups/ParentAdvocacyConsortium>

SB95 Anaphylactic Food Allergies 2.3.22.pdf

Uploaded by: Jeanette Ortiz

Position: FWA



SB95 PUBLIC SCHOOLS - ANAPHYLACTIC FOOD ALLERGIES - GUIDELINES AND REQUIREMENTS

February 3, 2022

EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE

SUPPORT WITH AMENDMENTS

Jeanette Ortiz, Esq., Legislative & Policy Counsel (410.703.5352)

Anne Arundel County Public Schools (AACPS) supports with amendments **SB95 Public Schools - Anaphylactic Food Allergies - Guidelines and Requirements**. This bill requires each local board of education to adopt and implement guidelines, in accordance with the Maryland State School Health Service guidelines, to reduce the risk of exposure to anaphylactic causative agents (specifically, major food allergens) in classrooms and common areas. Each public school must develop a system to disclose, within a reasonable time in advance of service, the foods served in the school and the major food allergens contained in the food. The principal of a public school that has a child attending with an anaphylactic allergy must monitor and implement the strategies developed in accordance with the Maryland State School Health Service guidelines and the guidelines established by the local board of education as required by the bill.

AACPS has a policy and regulation that support students with a known anaphylactic allergy or who are exhibiting symptoms of an anaphylactic allergy. AACPS also complies with the Maryland State School Health Service Guidelines issued jointly by the Maryland State Department of Education and the Maryland Department of Health and Mental Hygiene to reduce the risk of exposure to anaphylactic causative agents in classrooms and common areas. The school system continues to work with school nurses, parents/guardians, and students with food allergies. We post all nutrition information including allergy information on the AACPS website and in the lunch serving line. Additionally, AACPS coordinates with our county Department of Health regarding school meals and students with allergies. The communication is open and robust, both with staff and students.

While we support the intent of the legislation, we do have concerns with some of the requirements set forth in the bill. For example, we have concerns with the language in the bill requiring school systems to “**ENSURE THAT STUDENTS ARE ABLE TO FULLY PARTICIPATE IN ALL SCHOOL SPONSORED EVENTS, AFTER SCHOOL ACTIVITIES AND FIELD TRIPS.**” This would be difficult to ensure given the varying impact food allergies have on different students. In fact, it is at times best practice to actually limit activities to minimize the risk of anaphylaxis. We respectfully request that this provision be stricken from the bill. In addition, AACPS does not currently require private groups holding functions in our schools to announce or make attendees aware of allergens. We have concerns with the ability to implement this provision and respectfully request that this language also be stricken from the bill.

Accordingly, AACPS respectfully requests a **FAVORABLE WITH AMENDMENTS** committee report on SB95.

SB 95.Anaphylactic Food Allergies - Guidelines.pdf

Uploaded by: John Woolums

Position: FWA

BILL: Senate Bill 95
TITLE: Public Schools - Anaphylactic Food Allergies - Guidelines and Requirements
DATE: February 3, 2022
POSITION: SUPPORT WITH AMENDMENTS
COMMITTEE: Education, Health, and Environmental Affairs
CONTACT: John R. Woolums, Esq.

The Maryland Association of Boards of Education (MABE) supports Senate Bill 95 with amendments to address concerns with the prescriptive nature of the some of the bill's mandated procedures.

MABE supports this legislation to the extent that it mandates alignment of local school system policies and procedures with school health guidelines. However, this bill would impose a significant array of procedures designed to reduce the risks to students of anaphylactic allergic reactions caused by exposure to sources of severe allergic reactions in the school setting. MABE's specific concerns with the bill arise from provisions mandating specific types of food allergens, specific modes of the daily notice of food ingredients, a provision regarding who may accompany a student to an allergy-free table, and other processes that are best suited to local operations in accordance with the Maryland State School Health Service Guidelines for the Management of Students at Risk for Anaphylactic Reaction.

MABE also recognizes that to the extent many of the bill's provisions would be more appropriately addressed by updating the Guidelines, such an update appears overdue. For this reason, MABE supports the core provisions of the bill which are clearly consistent with the need to update not only that guidance but also the statute to reflect the school-based practices that address more than peanut and tree-nut allergies.

Local boards of education and school system employees recognize the importance of adopting and implementing policies and procedures to minimize the risks to students of the life-threatening consequences of severe allergic reactions. The sources of these allergic reactions are typically foods which are quite common in school meals, and the homes and bagged lunches of fellow students, and therefore can and do present serious daily challenges.

MABE assures the committee that school principals, nurses, and all staff take very seriously the responsibility to protect the health and welfare of all students, but especially those who are coping with the profound health risks associated with anaphylactic allergic reactions. Local boards of education operate in accordance with the standards and guidelines for school health programs developed by the Maryland State Department of Education and the Maryland Department of Health. MABE believes that this interagency framework is working well and is the appropriate forum in which student health issues such as anaphylactic allergic reactions should continue to be addressed.

For these reasons, MABE requests a favorable report on Senate Bill 95, with the amendments described above.