



Montgomery County

Office of Intergovernmental Relations

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HB 384

DATE: February 10, 2022

SPONSOR: Delegate Boyce

ASSIGNED TO: Ways & Means

CONTACT PERSON: Leslie Frey (leslie.frey@montgomerycountymd.gov)

POSITION: SUPPORT WITH AMENDMENT (Department of Health and Human Services)

Public and Nonpublic Schools – Bronchodilator Availability and Use – Policy (Bronchodilator Rescue Inhaler Law)

This bill requires each local board of education to establish a policy for public schools to authorize the school nurse and other school personnel to administer a bronchodilator, if available, to a student who is determined to have asthma, is experiencing asthma-related symptoms, or is perceived to be in respiratory distress, regardless of whether the student (1) has been diagnosed with asthma or reactive airway disease; or (2) has a prescription for a bronchodilator as prescribed by an authorized licensed health care practitioner. However, a bronchodilator may not be administered to a prekindergarten student without a prescription. The bill also requires the policy to include training for school personnel on how to recognize the symptoms asthma and respiratory distress, and a requires that a student's parents be notified of the administration of a bronchodilator and records be kept and reported to the Maryland State Department of Education. Likewise, the bill authorizes each nonpublic school to establish a policy that meets the same requirements.

Montgomery County Department of Health and Human Services (MCDHHS) supports the intent of the bill to help ensure that students have access to potentially life-saving medication such as bronchodilator rescue inhalers. However, as written, the bill poses the likelihood of an unfunded mandate and a further extension of the already stretched resources of the school health nurses in the County's public schools.

MCDHHS requests amendments to the bill to remove the requirements to: train designated personnel on how to recognize the symptoms of asthma and respiratory distress (which will likely have a significant demand on the time of school health nurses); allow school personnel other than school nurses to administer a bronchodilator; and to notify the student's parent or legal guardian of the use of a bronchodilator and report to the Department the number of incidents of bronchodilator use at the school or related events.

Montgomery County Public Schools has approximately 14,000 students with asthma enrolled in our schools. The tracking and submittal of incident reports for each time a bronchodilator is administered to, or used by, one of these students would be a significant administrative undertaking and not necessarily noteworthy from the perspective of the MCDHHS if a student has a diagnosis of asthma or reactive airway disease. The relative benefit of this data to the Department is far below the administrative cost to school health nurses. MCDHHS respectfully urges the committee to adopt the above amendments.