



**Committee:** House Ways and Means Committee  
**Bill Number:** Senate Bill 299  
**Bill Title:** Education – Public and Nonpublic Schools – Seizure Action Plans  
(Brynleigh’s Act)  
**Hearing Date:** March 24, 2022  
**Position:** Support with Amendments

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The Maryland Association of School Health Nurses (MASHN) and the Maryland Nurses Association (MNA) support *Senate Bill 299 – Education – Public and Nonpublic Schools – Seizure Action Plans (Brynleigh’s Act)*. The bill provides for increased awareness of seizure symptoms among school personnel as well as delineates protocols for administering emergency seizure medication.

MASHN and MNA ask the House Ways and Means Committee to amend SB 299 to reflect the posture of the House crossfile, House Bill 136. The Senate amended the bill to allow “volunteer” school personnel to administer seizure medications outside of the school health program. It is not clear if this change was intentional. However, the provision is problematic as:

- There is no provision to ensure that the volunteers are competent. The volunteers will receive training, but that does not equate to competency. To make matters more problematic, volunteers only get retrained every two years which is insufficient for medication administration.
- There is no provision to ensure that the volunteer has been approved by the child’s primary care provider. Nor is there any provision that addresses the documentation or storage of the medication. If the school nurse, or one of the school nurses’ clinical staff (e.g. certified medication technician) or designees, there are existing rules on how that is handled. But there are no existing rules,

nor any delineated in the bill on how that is handled.

We ask the committee to consider the following amendments:

On page 3, line 29-30 strike, "**OR OTHER SCHOOL HEALTH PRACTITIONER OR VOLUNTEER**"

On Page 2, line 23-25 restore:

"SCHOOL PERSONNEL MUST BE APPROVED BY THE SCHOOL NURSE BEFORE THE PERSONNEL ARE AUTHORIZED TO ADMINISTER OR ASSIST WITH SELF-ADMINISTRATION OF A SEIZURE RESCUE MEDICATION."

On page 4, line 8-10 restore:

"(2) SCHOOL PERSONNEL MUST BE APPROVED BY THE SCHOOL NURSE BEFORE THE PERSONNEL ARE AUTHORIZED TO ADMINISTER OR ASSIST WITH SELF-ADMINISTRATION OF A SEIZURE RESCUE MEDICATION"

These amendments protect student safety by ensuring that medication is only administered by an individual determined competent by a school nurse. Thank you for your consideration of our testimony. If you need any additional information, please contact Robyn Elliott at [relliott@policypartners.net](mailto:relliott@policypartners.net) or (443) 926-3443.