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THE SENATE OF MARYLAND ANNAPOLIS, MARYLAND 21401

Support SB 120 - Public Schools – Anaphylactic Food Allergies – Guidelines and Requirements

What SB 120 does:

- Requires each Maryland county board of education to adopt, implement, and publish guidelines for reducing the risk to students with food allergies
- The guidelines would be in accordance with the Maryland State School of Health service guidelines
- Each school district's policy should:
 - Describe the roles and responsibilities of parents, administrators, health care staff, educators, food service employees, and operations staff
 - Emphasize the importance of communication and collaboration between the school staff, students, and parents.
 - Designate food-free areas in schools
 - Designate separate cafeteria tables for use by students w/ severe food allergies
 - Promote hand washing and the safe handling of foods
 - Ensure that students with allergies are able to fully participate in all school events
 - Prevent bullying and harassment of children with food allergies
- All guidelines will be published on county board websites
- Each public school must develop a system to disclose (within a reasonable time) the foods served in school, and the nine major food allergens contained in the food

Why is SB 120 needed?

- Food allergies impact about 8% of children in the United States and research shows that children are at the highest risk for anaphylaxis and suffering a fatal allergic reaction
- It is estimated that 18% of children with food allergies have had an allergic reaction while at school
- Food allergy reactions are unpredictable. One in four students who have a severe and potentially life-threatening reaction at school had no previous known food allergy

- There are approximately 27,500 public school students with a life-threatening food allergy in the state of Maryland
- With that in mind, it is critical that school districts take the steps needed to prevent medical emergencies. They must provide more consistency and transparency in planning for student safety
- Currently, less than half of MD's 24 public school districts have adopted policies/procedures regarding students w/ severe food allergies. Of the districts that do have school allergy policies, some are brief and lack key details

Other states with similar legislation:

- IL in 2021 enacted the Childhood Anaphylactic Policy Act which requires the Department of Public Health, in consultation with the State Board of Education and the Department of Children and Family Services, to establish anaphylactic policies for school districts and day care centers.
- MA has an act that every school district must establish food allergy plans. Every school district in which a student with life-threatening food allergies is enrolled shall maintain a Food Allergy Management and Prevention Plan ("Plan") to address food allergy safety and training.

Prior introductions: Past the House of Delegates unanimously in 2022