



DEPARTMENT OF HEALTH

Wes Moore, Governor · Aruna Miller, Lt. Governor · Laura Herrera Scott, M.D., M.P.H., Acting Secretary

March 22, 2023

The Honorable Vanessa E. Atterbeary
Chair, Ways and Means Committee
Room 131 House Office Building
Annapolis, MD 21401-1991

RE: HB 266 - Public and Nonpublic Schools - Bronchodilator and Epinephrine Availability and Use – Policies – Letter of Support with Amendments

Dear Chair Atterbeary and Committee Members:

The Maryland Department of Health (MDH) respectfully submits this letter of support with amendments for House Bill (HB) 266 - Public and Nonpublic Schools - Bronchodilator and Epinephrine Availability and Use - Policies. MDH appreciates the House sponsor and House Committee's consideration of stakeholder concerns and the amendments presented in this third reader version.

As amended, HB 266 will establish a stock bronchodilator program in Maryland public schools. Such a program will ensure that students with asthma without their own bronchodilator will have access to medication to treat their asthma symptoms and prevent adverse events, such as hospitalization. HB 266 will also ensure safe administration of bronchodilators to students by school nurses and other trained school staff.

Upon review of HB 266 as amended, MDH respectfully recommends three technical amendments to strengthen the bill and ensure its successful implementation. First, MDH recommends defining the reporting requirement to be only for when a "stock" bronchodilator is administered, compared to instances where a prescribed bronchodilator is administered. This will ensure that reporting is focused on the stock bronchodilator program. Secondly, as currently drafted, HB 266 will require each jurisdiction to develop their own reporting form. This has the potential to create different data sets across jurisdictions which may pose challenges for statewide data review and analysis. Currently, the administration of stock Epinephrine and Naloxone to students is tracked on a standard reporting form across jurisdictions. MDH recommends the development of a singular form to be used statewide similar to stock Epinephrine and Naloxone. Finally, MDH recommends the extension of the deadline to revise the Maryland school health services guidelines from August 1, 2023 to December 31, 2023. This additional time will allow MDH and MSDE time to consult with asthma experts and other states with stock bronchodilators programs.

Thank you for considering these additional amendments to strengthen HB 266. If you would like further information please contact Megan Peters, Acting Director of Governmental Affairs at megan.peters@maryland.gov or (410) 260-3190.

Sincerely,

Laura Herrera Scott, M.D., M.P.H.
Secretary

**MDH Amendments
HB 266 - Third Reader**

Amendment # 1

On page 9 line 9 insert “STOCK” after “A” and before “BRONCHODILATOR”, and insert “STOCK” after “A” and before “BRONCHODILATOR” on line 13.

Amendment # 2

On page 9 strike“IN’ through “SECTION” on lines 9 and 10 and strike“IN’ through “SECTION” on lines 13 and 14.

Amendment # 3

On page 12 line 4 strike “August 1” and substitute “December 31”