



**Maryland Developmental
Disabilities Council**

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**Disability
Rights
Maryland**

Senate Finance Committee

SB 237: Public Health – Dental Services - Access February 13, 2023 Letter of Information

The Arc Maryland, the Maryland Developmental Disabilities Council, and Disability Rights Maryland are statewide organizations that work to protect and advance the rights and quality of life of people with disabilities. We understand the intention of the bill to increase access to dental care for children throughout Maryland and agree that access to dental care is important. We want to highlight potential unintended consequences for children with disabilities.

- 1) **Some children with disabilities are not able to get routine dental care.** Because of sensory or behavior challenges that make them intolerant to routine dental care, or because their family cannot find a dentist that will even see them. Others require sedation for routine dental care. As a result, any dental screening is either a costly medical procedure, or completely unrealistic. Some children with certain health conditions are at enhanced risk under sedation or unable to medically tolerate sedation altogether and therefore cannot always get dental screening. **If dental screening is a prerequisite for school or child care attendance, these children—children who need special education and related services—would be excluded from school.** This may be a direct violation of their rights to access a free and appropriate public education, and may also jeopardize federal funding for schools.
- 2) Single parent, and/or low-income families may not have access to the financial resources and time off from work to obtain the dental screenings, comply with prescribed timelines, and produce evidence of care. While dental care is so important for overall health, more safety net services are needed for easier access to affordable and appropriate dental care such as mobile school clinics on school grounds or other alternatives. Students with disabilities, who are experiencing poverty, food insecurity, and other barriers to school success, should not also face exclusion from a place they may be counting on for a meal, structure, and oversight.
- 3) All children, regardless of their legal status, have a right to attend school. However, some children may not be at a point in the immigration process to provide them with access to Medicaid. SB 237 assumes that children will be eligible for Medicaid or other dental insurance. If children are unable to access a dental screening because they do not have dental insurance or Medicaid, they will be excluded from school under this bill.
- 4) There is no clear process for the parent or guardian requirements. There is no process or outline of how a parent or guardian is to provide notification. This may cause an additional burden for families, especially those who have language barriers, or lack the means to provide a signed form.

We appreciate the opportunity to provide comments, and remain available for any questions.

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