

REGINA T. BOYCE
Legislative District 43A
Baltimore City

CHIEF DEPUTY MAJORITY WHIP

Environment and
Transportation Committee

Subcommittees

Housing and Real Property

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Natural Resources, Agriculture
and Open Space



Annapolis Office
The Maryland House of Delegates
6 Bladen Street, Room 151
Annapolis, Maryland 21401
410-841-3476 · 301-858-3476
800-492-7122 Ext. 3476
Fax 410-841-3295 · 301-858-3295
Regina.Boyce@house.state.md.us

THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

February 6, 2023

RE: Testimony HB266, Public and Non-Public Schools – Bronchodilator Availability and Use Policy (Bronchodilator Rescue Inhaler Law)

Good afternoon, Chair Atterbeary, Vice Chair Wilkins, and Members of the Ways and Means Committee.

For the record, I am Delegate Regina T. Boyce testifying today on **HB266 Public and Non-Public Schools – Bronchodilator Availability and Use Policy (Bronchodilator Rescue Inhaler Law)**.

For historical reference, this bill was introduced in 2020 as HB773, 2021 as HB609, and 2022 as HB384.

HB266 requires public schools in the state, and authorizes nonpublic schools, **to establish a policy to stock inhalers (albuterol) in schools for emergency purposes (rescue inhaler)**, requiring select school personnel to be trained to administer the inhaler in the absence of a school nurse and removes personal liability of nurse and personnel.

According to the Asthma and Allergy Network, **7.6% of Maryland Children**, have been diagnosed with asthma, **56% of children with asthma do not have an asthma plan** on file at their school, and it is reported that **19.2% of parents with asthmatic children** report that their children missed 1-2 days of school because of their asthma. Asthma is one of the leading causes of school absenteeism in the country alone. Add to those stats the number of individuals who haven't been diagnosed with asthma and the growing shortage of school nurses, we have a risk management dilemma. In the U.S., asthma is responsible for 10 deaths a day. Given these stats and risks, states are considering stock albuterol (rescue inhalers) in policy and guidelines. Currently, **15 states** (Arizona, Arkansas, Georgia, Illinois, Indiana, Iowa, Kentucky, Missouri, New Hampshire, New Jersey, New Mexico, Ohio, Oklahoma, Utah, and Virginia) have stock albuterol laws, and **two states** (New York and Nebraska) have stock albuterol guidelines. At the federal level, Congressman Steny Hoyer introduced and passed [HR2468](#) **“School Based Allergies and Asthma Management Program Act”**, **December 2020 and became law in January 2021**. The bill amends the Public Health Service Act to increase the preference given in awarding certain allergy and asthma related grants to states that require certain public schools to have allergy and asthma management programs. This federal act allows states to create and implement programs as needed with financial assistance.

What I've learned about Asthma is that you cannot diagnose it without first having an incident, or an asthma attack. **Unfortunately for some, an initial asthmatic attack can lead to sudden death.**

An inhaler is as important and lifesaving as an EpiPen, and Naloxone (Narcan). It must be available in our schools, and it must be added as a stock item to the lifesaving tool box for our schools and school professionals.

Thank you for your time and consideration of HB266. I ask for a favorable report.

A handwritten signature in blue ink that reads "Regina T. Boyce". The signature is written in a cursive style with a large initial 'R' and 'B'.

Regina T. Boyce