



**SENATE EDUCATION, ENERGY & THE ENVIRONMENT COMMITTEE**

**HOUSE BILL 1195**

**CHILD CARE PROVIDERS - ANAPHYLACTIC FOOD ALLERGIES - GUIDELINES AND INDEMNITY  
(ELIJAH'S LAW)**

**MARCH 27, 2024**

**INFORMATIONAL WITH AMENDMENTS**

Agudath Israel of Maryland speaks on behalf of the Orthodox Jewish communities, families, and individuals across Maryland, including some twenty community child care facilities and their children, and the thousands of preschool-age children and their families within our community.

House Bill 1195 would require child care centers to adopt and implement policies on reducing the risk of exposure to anaphylactic major food allergens, following guidelines to be developed by the Maryland State Department of Education, and provides a “good faith” exemption from personal liability under certain circumstances.

The “good faith” exemption is understandably necessary in order to ensure that child care facilities and their employees are able to function responsibly. The original liability clause in this bill covered personal liability only. The House of Delegates added a “good faith” exemption to the care provider as such, in addition to that of the individual carer, and we respectfully request that this language be retained.

In regards to the storage and deployment of epinephrine: the importance of ensuring a safe environment for children at their child care facility is obvious and needs no elaboration. However, we do see possible cause for concern if the Maryland State Department of Education would in future craft policies regarding the storage of epinephrine in ways that would create difficulties and costs to child care centers, especially when bearing in mind that many of these child care centers operate on tight budgets. As such, we would respectfully ask that the bill be amended so that general storage should be optional rather than mandatory, allowing providers to determine best practices on a case-by-case basis, according to the needs of the situation at hand.

**Amendments to House Bill 1195**

**Amendment No. 1**

On Page 2, line 21, after “FOR”, insert “OPTIONAL”