



**2024 SESSION
POSITION PAPER**

BILL: HB 65 – Public Schools - Medical and Psychological Treatment in School-Based Health Centers and Public Schools - Parental Notice
COMMITTEES: House – Health and Government Operations Committee
POSITION: Letter of Opposition

BILL ANALYSIS: HB 65 would require a school health practitioner, health care practitioner, or certified school psychologist employed by or under a contract with a school-based health center, local school system, or local health department who provides school health services at a public school to give a student's parent or guardian information about any consultation, diagnosis, or treatment provided to the student.

POSITION RATIONALE: The Maryland Association of County Health Officer's (MACHO) opposes HB 65 due to the chilling effect it would have on some of the highest-risk students in need of behavioral health and reproductive healthcare. There is multitude of reasons why some students are unable to involve their parents or guardians in their healthcare decisions, including the reality that some of these students are victims of abuse in their own home and/or are homeless and may want access to medical care despite not communicating with their parents/guardians. Furthermore, some families, religions, and cultures stigmatize mental illness, leading parents, or guardians to refuse to seek treatment for a child who requests and may desperately need it.

Medical confidentiality—including protection from parental notification—can encourage adolescents to seek care for sensitive medical issues that become newly salient at the time. When confidentiality is not ensured, adolescents may delay or avoid sexual healthcare, or withhold information from healthcare providers. Other topics adolescents might prefer to keep between themselves, and school health officials could include sexual identity or questioning, alcohol and drug use, or other sensitive issues. As a result, HB 65's requirement that any healthcare provider in a school setting, including those employed by local health departments, "SHALL PROVIDE TO A STUDENT'S PARENT OR GUARDIAN INFORMATION ABOUT ANY CONSULTATION, DIAGNOSIS, OR TREATMENT PROVIDED TO THE STUDENT" will diminish the number of students who present for care and the types of problems students are willing to discuss. In turn, HB 65 will leave adolescents at a greater risk of suicide, sexually transmitted infections, and unintended pregnancy.

In the experience of local health department staff, more than 95% of students presenting for healthcare in school settings involve their parents/guardians in their treatment. But for a small percentage of adolescents, confidentiality is critical to their ability to access much needed services. The Maryland Legislature has previously recognized this reality by enshrining the rights of minors to self-consent for healthcare under specific circumstances. HB 65 attempts to subvert these legal rights. MACHO opposes this bill to ensure that our most vulnerable students can continue to access what can be lifesaving healthcare.

For these reasons, MACHO submits this Letter of Opposition for the Committee's consideration of HB 65. For more information, please contact Ruth Maiorana, Executive Director, MACHO, at rmaiora1@jhu.edu or 410-937-1433. *This communication reflects the position of MACHO.*