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THE MARYLAND HOUSE OF DELEGATES  
ANNAPOLIS, MARYLAND 21401

January 25, 2024

**RE: Ways and Means Testimony for HB0086 Public and Nonpublic Schools - Auto-Injectable Epinephrine and Bronchodilators - Use, Availability, Training, and Policies.**

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

For the record, I am Delegate Regina T. Boyce testifying today on **HB86 Public and Nonpublic Schools - Auto-Injectable Epinephrine and Bronchodilators - Use, Availability, Training, and Policies.**

For historical reference, this bill was introduced in 2020 as HB773, 2021 as HB609, 2022 as HB384, and 2023 as HB266. Last year the bill was amended in the subcommittee. I would like to note that the bill was misfiled and should only address the adding the bronchodilator as an emergency response tool to Maryland Education code 7-426 which already includes Epipen and Narcan use.

**HB86** 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.

Nationally, 60% of children experience an asthma exacerbation leading to approximately 767,000 emergency department visits and 74,000 hospitalizations. Despite all 50 states and Washington D.C. permitting children with asthma to self-carry and self-administer personal inhalers, as few as 14% of children have quick relief medication in school. This could be due to challenges in obtaining asthma action plans and the potential for lost or expired inhalers.

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 or 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. In 2018, there were a total of 192 asthma-related deaths among children. Given these stats and risks, states are considering stock albuterol (rescue inhalers) in policy and guidelines. Currently, **16 states** (*Arizona, Arkansas, California, Georgia, Illinois, Indiana, Iowa, Kentucky, Missouri, New Hampshire, New Mexico, Ohio, Oklahoma, Texas, Utah, and Virginia*) have stock albuterol laws, and **two states** (New York and Nebraska) have stock albuterol

guidelines. One state reports that 84% of respiratory events treated with a stock inhaler resulted in the child returning to class.

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 toolbox for our schools and school professionals.

Thank you for your time and consideration of HB86. I ask for a favorable report.

Sincerely,



Regina T. Boyce