



Maryland Developmental
Disabilities Council

CREATING CHANGE · IMPROVING LIVES



House Ways and Means Committee
HB 167: Public Schools – Student Health – Certificate of Dental Health
January 31, 2024
Letter of Information

The Maryland Developmental Disabilities Council (DD Council) is an independent, public policy organization that creates changes to make it possible for people with developmental disabilities to live the lives they want with the support they need. The Arc Maryland is the largest statewide advocacy organization dedicated to the rights and quality of life of people with intellectual and developmental disabilities. We understand the intent of this bill is to increase access to dental care for children, and agree that access to dental care is critical for all Maryland children, including those with developmental disabilities. However, HB 167 potentially creates unintended consequences for children with disabilities.

WHAT does this legislation do?

- It requires each student enrolled in public school to submit a certificate of dental health. It also requires MSDE and MDH to create standards for periodic dental exams, timelines for the submission of the certificate, and develop and disseminate a standard form.

WHY are the unintended consequences for students with disabilities?

- **Dental screenings may be a costly medical procedure.** Some children will require sedation for routine dental care.
- **Some children with disabilities are unable to get routine dental care.**
 - Some children cannot tolerate routine dental care because of sensory issues or behavior challenges.
 - Others with certain health conditions are at risk under sedation or unable to tolerate sedation at all.
- **Dental care is hard to access.** Even if it is assumed children have access to dental care through Medicaid or private insurance, many families of children with disabilities struggle to find a dentist that will see them.

Children with disabilities who receive special education services are guaranteed those rights under state and federal law. **If dental screening is required to attend school, it is possible children with disabilities would be excluded.** While Maryland has made progress to increase access to important dental care, Maryland's children with disabilities and their families still face barriers to routine dental care for the reasons above. They should not face barriers to school too.

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