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HB 167
Public Schools – Student Health – Certificate of Dental Health
Hearing of the House Ways & Means Committee
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1:00 PM

FAVORABLE WITH AMENDMENTS

The Public Justice Center (PJC) is a not-for-profit civil rights and anti-poverty legal services organization which seeks to advance social justice, economic and racial equity, and fundamental human rights in Maryland. Our Health and Benefits Equity Project advocates to protect and expand access to healthcare and safety net services for Marylanders struggling to make ends meet. We support policies and practices that are designed to eliminate economic and racial inequities and enable every Marylander to attain their highest level of health. Our Education Stability Project seeks to advance racial equity in public education by combatting the overuse of practices like suspension, expulsion, and school-based arrest that disproportionately target Black and brown children and push students out of school. We also seek to eliminate barriers to school enrollment and success facing homeless children and children in foster care.

The PJC supports HB 167 with amendments. HB 167 would require, beginning in the 2026-27 school year, each student enrolled in a public elementary or secondary school in the State, to submit a certificate of dental health to their school on a specified schedule. It would also require the State Department of Education, in consultation with the Department of Health, to adopt regulations and to develop and disseminate a standard certificate of dental health form to county boards of education as well as parents and guardians of students. While we support the spirit and intention of HB 167, we have concerns with the provisions described below and the potential unintended impact.

Access to pediatric dental care has been an advocacy priority for PJC for many years since one of our client's children, 12-year-old Deamonte Driver, died of an untreated tooth infection in 2007. While we believe Maryland should continue to increase access to dental care for children, we have concerns that the requirement for parents and guardians to obtain a certificate of dental health for their children could create unintentional barriers to education and may place additional strain on Maryland's dental system.

The Public Justice Center is a 501(c)(3) charitable organization and as such does not endorse or oppose any political party or candidate for elected office.

We thank the House Health and Government Operations Committee and Senate Finance Committee for passing legislation to require Maryland's Medicaid program to cover adult dental care. Dental providers and advocates are working to build capacity in the community to successfully meet the needs of newly covered adult dental patients, many of whom have been waiting for years to address chronic dental conditions and pain. **Due to the tremendous focus on capacity building for the adult Medicaid community, families, especially those with more than one child, may experience hardship in obtaining timely dental screenings and needed follow up care and may have to delay school enrollment as a result.** Similarly, this provision would create a significant increase in demand for pediatric dental screenings which could also unintentionally hinder dental providers from building the capacity needed to serve the adult Medicaid population. It is also unclear whether pediatric dental providers will have capacity to schedule timely dental screenings and follow up care for thousands of children in Maryland.

Maryland is already struggling to keep children attending school after chronic absenteeism and truancy rates skyrocketed following the COVID-19 pandemic. Adding dental screenings as a requirement for school enrollment, without providing robust supports for accessing dental care, will likely exacerbate absenteeism. This is, in large part, due to the fact that chronic absenteeism in Maryland is link to poverty. Last year, eight of the ten districts with the highest rates of chronic absenteeism are also ranked in the top ten of the ALICE poverty indicator, meaning our poorest districts are having the most trouble with chronic absenteeism.¹ The pandemic nearly doubled truancy rates and chronic absenteeism is at the highest rate in nearly a decade.² Maryland should be *eliminating* barriers to accessing school, not creating them, which could very likely add to our problem of getting kids into schools in our poorest districts.

We respectfully recommend striking the bill language in its entirety and replacing it with a requirement for MDH and the Maryland State Department of Education to collaborate on educational materials and outreach for families on the importance of childhood dental screenings and how to obtain such screenings. These materials could be developed in plain language in collaboration with the state-designated Consumer Health Information Hub. PJC believes that education and outreach would be a more effective pathway towards improving childhood oral health.

Thank you for your consideration of these concerns and recommendations. We thank Delegate Harrison for sponsoring this important oral health legislation and urge the committee to issue a **FAVORABLE** report for **HB 167 with amendments to address the concerns above.** If you have any questions about this testimony, please contact Ashley Woolard at 410-625-9409 x 224 or woolarda@publicjustice.org and Levi Bradford at 410-625-9409 x 272 or BradfordL@publicjustice.org.

¹ Carey M. Wright, Ed.D., Interim State Superintendent of Schools, *Chronic Absenteeism Trends and Bright Spots*, Maryland State Department of Education at 9 (Jan. 18, 2024) https://mgaleg.maryland.gov/meeting_material/2024/jpr%20-%20133500685216383742%20-%20January%2018%20Presentation.pdf; and United Way of Central Maryland and United Ways of Maryland, *ALICE in the Crosscurrents: COVID and Financial Hardship in Maryland* at 23 (April 2023) <https://www.unitedforalice.org/Maryland>.

² See Wright at 5, 15. Truancy measures unlawful absences. Absenteeism includes lawful and unlawful absences.