



February 16, 2026

I am Dr. James E. Kelly, a Maryland Physician, and a Board-Certified Adult, Child Adolescent, and Forensic Psychiatrist with 40 years of experience- representing the nationwide **Association of American Physicians and Surgeons** in **strong opposition to House Bill 740**.

Maryland schools have shown many gross deficiencies for many decades, in adequately educating Maryland children. It would be best for Maryland public schools to return to adequately **educating children to be able to : read, write, do arithmetic** and other academic essentials instead of competing with parents in selecting therapists for their children.

Children do not belong to government institutions or public schools. Children belong to their parents and/or legal guardians. **Parents, and/or legal guardians** exclusively - **not government institutions like public schools** - should remain **in charge of selecting physicians and therapists** for their children.

Parents, not school administrators, should be deciding whether or not their minor children are in need of physical or mental health services and **who those physicians, therapists and providers of those services should be for their children.** Such decisions are important, private and are the exclusive rights of the parents and/or legal guardians-and should not be usurped by schools.

Schools should not be competing with parents to make healthcare choices or choices about medical providers for their children. To do so creates an **invasion upon parent rights, the parent-child relationship and the privacy** of the child and the parents.

Public schools should stay to their mission which is to **educate** and not deviate from that mission by adding the unnecessary additional tasks to their **correct mission of education** -like mandating a mental health therapist in every public school.

If a child is in need of mental health services -all such services should be chosen by, and scheduled by the parents or legal guardians outside of school time- to **avoid disrupting the educational process of their children, taking the children out of classes** that they need - in order to learn. It is an unnecessary **intrusive invasion upon the child's privacy to be taken out of academic classes** for mental health therapy during the school day by displaying to other children that the child is in need of mental health therapy with a school provided therapist-all of which **interferes with the child's academic process, medical and therapeutic privacy, personal integrity and mental health.**

In a time when Maryland schools and school districts are reporting that they are already **underfunded** and are in need of increased taxpayer dollars to fund education this bill would create another **unfunded mandate** in the public-school budgets, and create yet another **burden on already highly taxed Maryland taxpayers.**

The nationwide **Association of American Physicians and Surgeons** strongly urges and respectfully requests an **unfavorable report on House Bill 740.**

