

HOUSE BILL 1224

F1, J1

3lr2138

By: **Delegate Miller**

Introduced and read first time: February 10, 2023

Assigned to: Health and Government Operations and Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Public Schools – Medical and Psychological Treatment in School–Based Health**
3 **Centers and Public Schools – Parental Notice**

4 FOR the purpose of requiring certain school health practitioners employed by or under
5 contract with certain entities to provide school health services in a school–based
6 health center or public school to provide certain information to a certain student’s
7 parent or guardian to consult, diagnose, or treat a certain student under certain
8 circumstances; and generally relating to medical and psychological treatment of
9 students in school–based health centers and public schools.

10 BY repealing and reenacting, with amendments,
11 Article – Education
12 Section 7–401
13 Annotated Code of Maryland
14 (2022 Replacement Volume)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
16 That the Laws of Maryland read as follows:

17 **Article – Education**

18 7–401.

19 (a) With the assistance of the county health department, each county board shall
20 provide:

21 (1) Adequate school health services;

22 (2) Instruction in health education, including the importance of physical
23 activity in maintaining good health; and

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(3) A healthful school environment.

(b) The Department of Education and the Maryland Department of Health jointly shall:

(1) Develop public standards and guidelines for school health programs; and

(2) Offer assistance to the county boards and county health departments in their implementation.

(c) (1) (i) Each county board shall designate a school health services program coordinator.

(ii) A county board may authorize the county health department to designate the school health services program coordinator.

(2) The school health services program coordinator shall:

(i) Implement State and local health policies in the public schools;

(ii) Ensure that public schools adhere to local health services guidelines; and

(iii) Communicate State and local health policies to the parents and guardians of public school students.

(3) (i) Except as provided in subparagraph (ii) of this paragraph, the county board shall grant the school health services program coordinator the authority to carry out the provisions of this subsection.

(ii) The county board shall consult with a county superintendent before any change in the hiring or termination of personnel in connection with a school health services program.

(4) The Department of Education shall conduct at least two meetings annually with all school health services program coordinators in the State.

(D) 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 TO PROVIDE SCHOOL HEALTH SERVICES AT A PUBLIC SCHOOL SHALL PROVIDE TO A STUDENT'S PARENT OR GUARDIAN INFORMATION ABOUT ANY CONSULTATION, DIAGNOSIS, OR TREATMENT PROVIDED TO THE STUDENT.

[(d)] (E) On or before December 1, 2015, and every 5 years thereafter, the

1 Department shall report to the Governor and, subject to § 2–1257 of the State Government
2 Article, to the General Assembly a summary of the information reported to the State
3 Superintendent during the COMAR certification process.

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
5 1, 2023.