

BILL: House Bill 1530
TITLE: Education – Student Health Screenings – Brain Injury
POSITION: OPPOSE
DATE: March 9, 2018
COMMITTEE: Ways and Means Committee
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The Maryland Association of Boards of Education (MABE), representing all of the State's local boards of education, opposes House Bill 1530. Local boards of education support and promote policies intended to ensure the highest level of student health and safety. MABE appreciates the intent of this legislation to guarantee that students entering school have received high quality health screenings. However, we believe that the existing law already provides the appropriate level of mandatory health screenings for all students.

A physical examination, performed by a physician or certified nurse practitioner, is required for each child entering the Maryland public school system for the first time. The examination must be completed within the period of 9 months before entrance or 6 months after entrance; and the form approved by DHMH and MSDE must be used for proof of examination. However, the regulations specify that if a student is unable to obtain a physical examination the student may not be excluded from school (COMAR 13A.05.05.07).

Maryland, as all other states, imposes immunization requirements on students. The evidence of immunization must be provided on the form provided by the Department of Health and Mental Hygiene (DHMH Form 896 Maryland Department of Health and Mental Hygiene Immunization Certificate) and include the student's name, date of birth, address, and the complete history of vaccines received with month, day and year of each vaccine dose, and physician's signature (COMAR 10.06.04.03). The regulations provide a detailed schedule of all required immunizations (COMAR 10.06.04.03.D). In addition, Maryland's definition of an enrolled student for purposes of calculating state aid refers specifically to a student who is a bona fide resident of Maryland and who has age appropriate immunizations (COMAR 13A.02.06.03).

When a child enters public prekindergarten, kindergarten or first grade, parents and guardians residing in areas designated as at risk for lead poisoning, under § 18-106 of the Health General Article, must provide documentation from a health care provider that the child has undergone blood testing for lead poisoning (Md. Code Ann., Ed. Art. § 7-403(a)). Legislation enacted in 2015 requires orientation and mobility assessments for blind or visually impaired students in order to determine whether orientation and mobility instruction is appropriate for the student (House Bill 535/Senate Bill 538, 2015 Laws of Maryland; amending Md. Code Ann., Ed. Art. § 8–408). In addition, local health departments required to fund and provide hearing and vision screenings for all students in the public schools and licensed private schools (Md. Code Ann., Ed. Art. § 7–404). The law also requires parents to report to the school system or health department the services received by a student who fails a screening.

Again, in light of these requirements, we believe that the existing law already provides the appropriate level of mandatory health screenings for all students.

For these reasons, MABE requests an unfavorable report on House Bill 1530.