

BILL: Senate Bill 492
TITLE: Public Schools - Student Telehealth Appointments - Policy and Access
DATE: February 28, 2024
POSITION: SUPPORT WITH AMENDMENTS
COMMITTEE: Education, Energy, and the Environment
CONTACT: John R. Woolums, Esq.

The Maryland Association of Boards of Education (MABE) appreciates the intent of Senate Bill 492 to facilitate the availability of telehealth services in the school setting, by outside providers, during the school day. MABE requests amendments, which are provided below, to ensure that the Maryland Departments of Education and Health develop school health services guidelines to be utilized by school systems adopting local policies and implementing the services envisioned in this legislation.

Local boards of education and school system employees recognize the importance of adopting and implementing statewide guidelines and local policies and procedures to facilitate student access to health services. School health policy matters are inherently complex, involving the medical expertise of school health coordinators and school nurses, other medical professionals, and the input of school administrators responsible for school operations. Therefore, MABE consistently advocates that school health policy matters are most appropriately reflected in state and local policies based on the school health guidelines issued by the Maryland State Department of Education (MSDE) and Maryland Department of Health (MDH), rather than through legislation. MABE firmly believes that the well-intended desire to expand student access to telehealth services during the school day, which is an extraordinarily complex issue, should be reflected in school health guidelines.

MABE has a long track record of supporting legislation which directs MSDE and MDH to develop school health guidelines which must be developed through a stakeholder process and adopted by the State Board of Education prior to any expectation or requirement that local school systems adopt new policies and procedures. By contrast, Senate Bill 492 would mandate that schools accommodate student access to receiving telehealth services without the assurances provided by student health plans. MABE does not support the approach taken in Senate Bill 492 to mandate school system staff involvement, the provision of space, and scheduling of time, for telehealth services provided to public school students on school premises during the school day without the benefit of statewide school health guidelines.

For these reasons, MABE requests a favorable report on Senate Bill 492 if amended to require the development of school health guidelines by MSDE and MDH instead of mandating the accommodation of telehealth services for students during the school day. This guidance is essential as a precursor to the statewide implementation of the services called for in this legislation.

MABE's requested amendments to Senate Bill 492 are provided below.

MABE Requested Amendment to Senate Bill 492

On page 2, after line 25, insert:

SECTION 2. AND BE IT FURTHER ENACTED, That: (a) On or before August 1, 2025, the State Department of Education and the Maryland Department of Health shall jointly develop and the State Board shall adopt Maryland State school health service guidelines regarding the availability of opportunities for students during the school day on school premises to receive telehealth services, with consideration given to the input of broad range of stakeholders in addition to the program elements described under § 4–142 of the Education Article.

(b) Before the start of the 2024–2025 school year, each county board of education, including the Baltimore City Board of School Commissioners, shall make a good faith effort to adopt and implement guidelines in accordance with § 4–142 of the Education Article, as enacted by Section 1 of this Act, and following the Maryland State school health service guidelines updated under subsection (a) of this section.

On page 2, in line 26, strike “2” and replace with “3”.