

HOUSE BILL 1530

F1, J1

8lr1113

By: **Delegates Flanagan, Conaway, Hayes, Waldstreicher, and M. Washington**

Introduced and read first time: February 9, 2018

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Education – Student Health Screenings – Brain Injury**

3 FOR the purpose of requiring county boards of education and county health departments
4 to provide brain injury screenings to certain students; requiring county health
5 departments to fund brain injury screenings for certain students; requiring that
6 brain injury screenings be given to students in certain years; authorizing certain
7 screenings in accordance with certain policies; requiring a county board or a county
8 health department to report to the Maryland Department of Health the results of
9 certain brain injury screenings and the number of students receiving certain
10 services; requiring that a certain brain injury screening be developed by the
11 Department, in consultation with the State Traumatic Brain Injury Advisory Board
12 and include a certain minimum number of questions; and generally relating to
13 student health screenings for brain injuries in schools.

14 BY repealing and reenacting, with amendments,
15 Article – Education
16 Section 7–404
17 Annotated Code of Maryland
18 (2014 Replacement Volume and 2017 Supplement)

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

21 **Article – Education**

22 7–404.

23 (a) (1) Each county board or county health department shall provide hearing,
24 [and] vision, **AND BRAIN INJURY** screenings for all students in the public schools.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2) Each county health department shall provide and fund hearing, [and]
2 vision, **AND BRAIN INJURY** screenings for all students:

3 (i) In any private school that has received a certificate of approval
4 under § 2–206 of this article; and

5 (ii) In any nonpublic educational facility in this State approved as a
6 special education facility by the Department.

7 (b) (1) Unless evidence is presented that a student has been tested within the
8 past year, the screenings required under subsection (a) of this section shall be given in the
9 year that a student enters a school system, enters the first grade, and enters the eighth or
10 ninth grade.

11 (2) Further screening shall be done in accordance with:

12 (i) The bylaws adopted by the State Board; or

13 (ii) Policies adopted by a county board or a county health
14 department.

15 (c) The results of the hearing, [and] vision, **AND BRAIN INJURY** screenings
16 required by this section shall be:

17 (1) Made a part of the permanent record file of each student;

18 (2) Given to the parents of any student who fails the screenings; and

19 (3) Reported to the county board or the county health department.

20 (d) On a form provided by the county board or the county health department, a
21 parent or guardian shall report to the county board or the county health department on the
22 recommended services received by a student who failed the screenings.

23 (e) The county board or the county health department shall report to the
24 Maryland Department of Health the results of the hearing, [and] vision, **AND BRAIN**
25 **INJURY** screenings and, to the extent practicable, the number of students receiving the
26 recommended services.

27 (f) **[In] SUBJECT TO SUBSECTION (H) OF THIS SECTION**, IN cooperation with
28 the Maryland Department of Health, the Department of Education shall adopt standards,
29 rules, and regulations to carry out the provisions of this section.

30 (g) A student whose parent or guardian objects in writing to hearing and vision
31 screening on the ground that it conflicts with the tenets and practice of a recognized church
32 or religious denomination of which he is an adherent or member may not be required to

1 take these screenings.

2 **(H) THE BRAIN INJURY SCREENING REQUIRED UNDER THIS SECTION**
3 **SHALL:**

4 **(1) BE DEVELOPED BY THE MARYLAND DEPARTMENT OF HEALTH,**
5 **IN CONSULTATION WITH THE STATE TRAUMATIC BRAIN INJURY ADVISORY BOARD,**
6 **FOR THE PURPOSE OF SCREENING STUDENTS FOR BRAIN INJURIES; AND**

7 **(2) INCLUDE AT LEAST TWO QUESTIONS.**

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
9 1, 2018.