



# Montgomery County

## Office of Intergovernmental Relations

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**HB 370**

**DATE: January 20, 2021**

**SPONSOR: Delegate Kerr**

**ASSIGNED TO: Ways and Means**

**CONTACT PERSON: Leslie Frey**

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**POSITION: SUPPORT WITH AMENDMENT**

**(Department of Health and Human Services)**

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### **Education – Public and Nonpublic Schools – Seizure Action Plans (Brynleigh’s Act)**

Beginning in the 2022-2023 school year, House Bill 370 would require: two school employees at each public school to be trained in recognizing symptoms of seizure and responding with appropriate first aid and medication administration; each school to provide training to any school personnel with direct contact and supervision of students in recognizing symptoms of seizure and responding with appropriate first aid; the maintenance of medication and a seizure action plan for each student diagnosed with a seizure disorder; and the education of students on seizure disorders.

As the employer of school health nurses in Montgomery County, the Montgomery County Department of Health and Human Services recognizes the laudable intent of the bill as an effort to protect Maryland’s school children from the effects of seizure disorders. However, as written, the bill poses the likelihood of an unfunded mandate and a further extension of the already stretched resources of the school health nurses in the County’s public schools.

Not every public school in the County has a full-time school health nurse; it is not uncommon for school health nurses to be assigned to multiple schools, thus only being present at a school on certain days while staffing other schools the remaining days of the week. As written, the bill does not make it clear whether a school health nurse who is employed full time but only present in the school on a part-time basis would satisfy the requirements under §7-447(B) and (F). Further, school health nurses have had several resource-intensive, unfunded mandates on their time and resources in the last few years, including providing diabetes and sickle cell disease case management during all school-time and increased numbers of mandated vision screenings, among others. Montgomery County Department of Health and Human Services asks that the bill be amended to specify that school personnel other than school health nurses be responsible for the training of all school personnel required by §7-447(C) and the education of students required by §7-447(H)(1) in order to reduce the resource demands on school health nurses this bill presents.

For these reasons, Montgomery County Department of Health and Human Services respectfully requests that the bill be amended to exempt school health nurses from the requirements to provide training and education to school personnel and students and to include a funding source so that the mandates in the bill would not have to be met by utilizing the County funding that would be required to staff each public school with a full-time school health nurse.