

**BILL:** House Bill 136  
**TITLE:** Education – Public and Nonpublic Schools – Seizure Action Plans  
(Brynleigh’s Act)  
**DATE:** January 20, 2022  
**POSITION:** SUPPORT WITH AMENDMENTS  
**COMMITTEE:** Ways and Means  
**CONTACT:** John R. Woolums, Esq.

The Maryland Association of Boards of Education (MABE) supports House Bill 136 with amendments to ensure that the school health needs of students with seizure disorders are met through the administration of student health plans, including seizure action plans.

MABE has supported legislation in recent years to ensure that school health guidelines are updated and strengthened to adequately address students with health conditions such as diabetes and sickle cell disease. In this context, MABE supports this bill’s proposal that parents, healthcare providers, and school health personnel and administrators develop seizure action plans for students with a seizure disorder. However, this bill goes much further by requiring that school nurses train and certify that non-nursing school staff are approved to administer not only first aid but also emergency medication.

The development of legislation ultimately enacted to revamp school health guidelines and health services for students with diabetes involved similar questions of whether and how to allow non-medical staff to administer medication. That legislation stopped short of mandating the training and authorization of a minimum number of staff to administer insulin or glucagon. House Bill 136 would inappropriately mandate that each school system require non-medical staff to be trained to administer emergency medication to treat seizures. Such medications may be administered by injection, intravenously, rectally, or via nasal spray. This facet of the bill is troubling in light of the lack of discretion for school systems and staff to undertake this extremely serious emergency medical care responsibility.

Again, MABE has recently supported legislation to ensure that school health plans ensure a high degree of care and heightened awareness among school personnel regarding the needs of students with certain health conditions and supports the intent of this bill to provide similar assurances for students with seizure disorders. MABE supports the bill’s provisions calling for school health guidelines devoted to seizure disorders and the value of broader awareness among school staff of appropriate responses to seizures.

Local boards of education place a very high priority on student health, by ensuring that schools are operating in accordance with adopted state school health guidelines and local policies and procedures intended to provide a health and safe school environment conducive to student learning. Under the law, MSDE and the Maryland Department of Health must provide technical assistance to schools to: implement the adopted guidelines, train school personnel at the local level, and develop a process to monitor the implementation of the guidelines. The law also establishes the office of the school health services program coordinator, who is responsible for implementing State and local health policies in the public schools, ensuring that public schools adhere to local health services guidelines, and communicating State and local health policies to the parents and guardians of public school students.

For these reasons, MABE requests a favorable report on House Bill 136 with the amendments described above and provided below:

- On page 2, in line 6, strike “SHALL REQUIRE AT LEAST TWO” and replace with “MAY AUTHORIZE”.
- On page 2, in line 6, after “PUBLIC SCHOOL” insert “ATTENDED BY A STUDENT WITH AN APPROVED STUDENT HEALTH PLAN AND SIEZURE ACTION PLAN THAT INCLUDES WRITTEN SIEZURE RESCUE MEDICATION AUTHORIZATION FROM THE STUDENT’S PHYSICIAN, PARENT OR GUARDIAN, AND THE SCHOOL NURSE”.
- On page 2, in line 16, after “NURSE” insert “, IN ACCORDANCE WITH THE SCHOOL SYSTEM’S POLICY AND PROCEDURES”.
- On page 2, in line 19, strike “MAY” and replace with “OR OTHER SCHOOL HEALTH PROFESSIONAL SHALL”.
- On page 3, in line 4, after “DEVELOP”, insert “SCHOOL HEALTH SERVICES”.
- On page 3, in lines 5 and 6, strike “HEALTH CARE NEEDS OF A STUDENT” and replace with “MANAGEMENT OF STUDENTS”; and in line 5, after “DISORDER” insert “AND RECOGNIZING THE SIGNS AND SYMPTOMS OF A SEIZURE AND APPROPRIATE STEPS FOR ADMINISTERING FIRST AID FOR A SEIZURE”.