



DEPARTMENT OF HEALTH

Wes Moore, Governor · Aruna Miller, Lt. Governor · Laura Herrera Scott, M.D., M.P.H., Secretary

March 14, 2023

The Honorable Joseline A. Peña-Melnyk
Chair, House Health and Government Operations Committee
Room 241, House Office Building
Annapolis, Maryland 21401

RE: HB 1224 - Public Schools – Medical and Psychological Treatment in School-Based Health Centers and Public Schools – Parental Notice – Letter of Opposition

Dear Chair Peña-Melnyk and Committee Members:

The Maryland Department of Health (MDH) is submitting this letter of opposition for House Bill (HB) 1224 – Public Schools – Medical and Psychological Treatment in School-Based Health Centers and Public Schools – Parental Notice. Under HB 1224, a school health practitioner, health care practitioner, or certified school psychologist employed to provide school health services at a public school, is required to provide to a student’s parent or guardian information about any consultation, diagnosis, or treatment provided to the student.

HB 1224 conflicts with existing Maryland law. First, Health - General Article §20-102 defines situations where a minor has the same capacity as an adult to consent to medical treatment.¹ In these instances, while the health care practitioner may share information about the treatment with the minor’s parent or guardian information, they are not required to do so. Furthermore, Health - General Article §20-104 expands the protections of minor consent to those 12 years old or older who are determined by a health care provider to be mature and capable of giving informed consent.²

Additionally, HB 1224’s mandate for school health practitioners, health care practitioners, or certified school psychologists to provide a student’s parent or guardian information about any consultation, diagnosis, or treatment has the potential to put that student in harm's way. For example, in the instance where a student seeks treatment resulting from sexual abuse inflicted by a parent or guardian, the mandated notification could potentially cause more harm to the student.

If you have any questions please contact Megan Peters, Acting Director, Office of Governmental Affairs, at megan.peters@maryland.gov or (410) 260-3190.

Sincerely,

Laura Herrera Scott, M.D., M.P.H.
Secretary

¹ [Laws - Statute Text \(maryland.gov\)](https://mga.leg.maryland.gov/mgawebsite/Laws/StatuteText?article=ghg§ion=20-102)
<https://mga.leg.maryland.gov/mgawebsite/Laws/StatuteText?article=ghg§ion=20-102>

² [Laws - Statute Text \(maryland.gov\)](https://mga.leg.maryland.gov/mgawebsite/Laws/StatuteText?article=ghg§ion=20-104)
<https://mga.leg.maryland.gov/mgawebsite/Laws/StatuteText?article=ghg§ion=20-104>