

# HOUSE BILL 522

F1

(4lr0740)

## ENROLLED BILL

— Ways and Means / Education, Energy, and the Environment —

Introduced by Delegates D. Jones and Fair, Fair, Ebersole, Feldmark, Grossman, Mireku-North, Palakovich Carr, Patterson, Vogel, Wells, and Wilkins

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

\_\_\_\_\_  
Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this \_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_\_ M.

\_\_\_\_\_  
Speaker.

### CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Public Schools – Student Telehealth Appointments – ~~Policy~~ State Guidelines,**  
3 **Policies, and Access**

4 FOR the purpose of requiring the State Department of Education and the Maryland  
5 Department of Health jointly to adopt certain State guidelines for school health  
6 services regarding student access to telehealth appointments during the school day in  
7 public middle and high schools in the State; requiring each county board of education  
8 to establish a ~~policy to accommodate students who need to participate in telehealth~~  
9 ~~appointments during the school day; requiring each public middle and high school to~~  
10 ~~designate a space that meets certain requirements for student telehealth~~  
11 ~~appointments~~ certain student telehealth policy; and generally relating to student  
12 access to telehealth in public schools.

13 BY adding to

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#### EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

*Italics indicate opposite chamber / conference committee amendments.*



1 Article – Education  
 2 Section 4–142  
 3 Annotated Code of Maryland  
 4 (2022 Replacement Volume and 2023 Supplement)

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

7 **Article – Education**

8 **4–142.**

9 (A) IN THIS SECTION, “TELEHEALTH” MEANS A MODE OF DELIVERING  
 10 HEALTH CARE SERVICES THROUGH THE USE OF TELECOMMUNICATIONS  
 11 TECHNOLOGIES BY A HEALTH CARE PRACTITIONER TO A PATIENT AT A DIFFERENT  
 12 PHYSICAL LOCATION THAN THE HEALTH CARE PRACTITIONER.

13 ~~(B) EACH COUNTY BOARD SHALL ESTABLISH A POLICY TO ACCOMMODATE~~  
 14 ~~STUDENTS WHO NEED TO PARTICIPATE IN TELEHEALTH APPOINTMENTS~~  
 15 ~~SCHEDULED DURING THE SCHOOL DAY.~~

16 ~~(C) THE POLICY ESTABLISHED UNDER SUBSECTION (B) OF THIS SECTION~~  
 17 ~~SHALL REQUIRE EACH MIDDLE AND HIGH SCHOOL TO:~~

18 ~~(1) DESIGNATE A SPACE FOR STUDENT TELEHEALTH APPOINTMENTS~~  
 19 ~~THAT:~~

20 ~~(I) IS A PRIVATE SPACE IN THE SCHOOL;~~

21 ~~(II) HAS INTERNET ACCESS;~~

22 ~~(III) INCLUDES AT LEAST ONE SEATING OPTION WITH A FLAT~~  
 23 ~~SURFACE AND ELECTRICAL OUTLET NEARBY TO ACCOMMODATE PLACEMENT OF A~~  
 24 ~~LAPTOP DEVICE; AND~~

25 ~~(IV) IS NOT A BATHROOM OR CLOSET; AND~~

26 ~~(2) IMPLEMENT MEASURES TO ENSURE THE SAFETY AND PRIVACY OF~~  
 27 ~~A STUDENT PARTICIPATING IN A TELEHEALTH APPOINTMENT.~~

28 (B) (1) ON OR BEFORE DECEMBER 31, 2024, THE DEPARTMENT AND THE  
 29 MARYLAND DEPARTMENT OF HEALTH, IN CONSULTATION WITH THE  
 30 STAKEHOLDERS DESCRIBED IN PARAGRAPH (2) OF THIS SUBSECTION, JOINTLY  
 31 SHALL DEVELOP STATE GUIDELINES FOR SCHOOL HEALTH SERVICES REGARDING  
 32 THE AVAILABILITY FOR STUDENT PARTICIPATION IN TELEHEALTH APPOINTMENTS

1 DURING THE SCHOOL DAY ON THE PREMISES OF PUBLIC MIDDLE AND HIGH SCHOOLS  
2 IN THE STATE.

3 (2) THE DEPARTMENT AND THE MARYLAND DEPARTMENT OF  
4 HEALTH SHALL CONSULT WITH A BROAD RANGE OF STAKEHOLDERS IN DEVELOPING  
5 THE STATE GUIDELINES UNDER PARAGRAPH (1) OF THIS SUBSECTION, INCLUDING:

6 (I) LOCAL SCHOOL SYSTEMS;

7 (II) MIDDLE AND HIGH SCHOOL PRINCIPALS;

8 (III) SCHOOL NURSES, OTHER SCHOOL-BASED HEALTH AND  
9 BEHAVIORAL HEALTH PROVIDERS, AND OTHER SUPPORT PERSONNEL;

10 (IV) HEALTH CARE PROVIDERS OF VARIOUS PRACTICE AREAS;

11 (V) PARENTS; AND

12 (VI) THE MARYLAND CONSORTIUM ON COORDINATED  
13 COMMUNITY SUPPORTS.

14 (3) IN DEVELOPING THE STATE GUIDELINES UNDER PARAGRAPH (1)  
15 OF THIS SUBSECTION, THE DEPARTMENT AND THE MARYLAND DEPARTMENT OF  
16 HEALTH SHALL CONSIDER OPERATIONAL, LEGAL, AND FINANCIAL ISSUES,  
17 INCLUDING:

18 (I) EQUITY AND PRIORITIZATION OF ACCESS;

19 (II) STUDENT AND PARENTAL RIGHTS AND RESPONSIBILITIES,  
20 INCLUDING STUDENT PRIVACY, INFORMED CONSENT, PARENTAL CONSENT, AND  
21 COMMUNICATIONS WITH PARENTS;

22 (III) SCHOOL SYSTEM RIGHTS AND RESPONSIBILITIES;

23 (IV) THE ROLE AND RESPONSIBILITIES OF HEALTH CARE  
24 PROVIDERS PROVIDING TELEHEALTH SERVICES, INCLUDING INFORMED CONSENT,  
25 COLLECTION OF MEDICAL HISTORY AND INSURANCE INFORMATION, FOLLOW-UP  
26 CARE, AND PATIENT COMMUNICATIONS;

27 (V) THE ROLE AND RESPONSIBILITIES OF SCHOOL NURSES AND  
28 OTHER SCHOOL-BASED HEALTH, BEHAVIORAL HEALTH, AND OTHER SUPPORT  
29 PERSONNEL;

30 (VI) THE ROLE OF THE STUDENT HEALTH PLAN;

1 (VII) TELEHEALTH SERVICES RELATED TO A STUDENT'S  
2 INDIVIDUALIZED EDUCATION PROGRAM OR SECTION 504 PLAN;

3 (VIII) PROTOCOLS TO PROVIDE IN-PERSON SUPPORT IF  
4 TELEHEALTH APPOINTMENTS CREATE A CHALLENGE TO A STUDENT RETURNING TO  
5 THE CLASSROOM, ESPECIALLY RELATING TO MENTAL HEALTH COUNSELING OR  
6 TREATMENT;

7 (IX) PROTOCOLS FOR MISSED INSTRUCTION DUE TO STANDING  
8 OR CONSISTENTLY SCHEDULED APPOINTMENTS;

9 (X) OPERATIONAL ISSUES, INCLUDING COORDINATION OF  
10 SERVICES, APPROVAL AND VERIFICATION OF APPOINTMENTS, INCLUDING  
11 APPOINTMENTS WITHOUT PARENTAL KNOWLEDGE OR CONSENT, SCHOOL RESOURCE  
12 ALLOCATION, AND THE USE OF TREATMENT SPACE;

13 (XI) SCHOOL SYSTEM, PARENT, AND HEALTH CARE PROVIDER  
14 LIABILITY;

15 (XII) HEALTH INSURANCE, INCLUDING MEDICAID;

16 (XIII) THE FEASIBILITY OF DESIGNATING A SCHOOL BUILDING  
17 SPACE THAT:

18 1. IS PRIVATE AND SAFE TO ALLOW FOR CONFIDENTIAL  
19 CONVERSATION BETWEEN A HEALTH CARE PROVIDER AND A STUDENT;

20 2. HAS INTERNET ACCESS;

21 3. INCLUDES AT LEAST ONE SEATING OPTION WITH A  
22 FLAT SURFACE AND A NEARBY ELECTRICAL OUTLET TO ACCOMMODATE PLACEMENT  
23 OF A LAPTOP DEVICE; AND

24 4. IS NOT A BATHROOM OR CLOSET; AND

25 (XIV) ANY OTHER ISSUES DETERMINED RELEVANT BY THE  
26 DEPARTMENT, THE MARYLAND DEPARTMENT OF HEALTH, OR A STAKEHOLDER.

27 (4) THE STATE BOARD SHALL ADOPT THE STATE GUIDELINES  
28 DEVELOPED UNDER PARAGRAPH (1) OF THIS SUBSECTION.

29 (C) BEFORE THE START OF THE 2025-2026 SCHOOL YEAR, EACH COUNTY  
30 BOARD SHALL ADOPT AND IMPLEMENT A STUDENT TELEHEALTH POLICY IN

1 ACCORDANCE WITH THE STATE GUIDELINES ADOPTED UNDER SUBSECTION (B) OF  
2 THIS SECTION.

3 (D) EACH COUNTY BOARD SHALL ENSURE THAT THE LOCAL SCHOOL  
4 SYSTEM:

5 (1) PUBLISHES THE STUDENT TELEHEALTH POLICY IN THE STUDENT  
6 HANDBOOK; AND

7 (2) MAKES SCHOOL PERSONNEL AWARE OF STUDENT TELEHEALTH  
8 POLICY OBJECTIVES AND REQUIREMENTS.

9 (E) ON REQUEST, THE DEPARTMENT SHALL PROVIDE TECHNICAL  
10 ASSISTANCE TO A COUNTY BOARD TO ESTABLISH THE STUDENT TELEHEALTH  
11 POLICY REQUIRED UNDER THIS SECTION.

12 (F) NOTHING IN THIS SECTION SHALL BE CONSTRUED TO ~~REQUIRE~~:

13 (1) REQUIRE A SCHOOL TO CONSTRUCT AN ADDITION OR A NEW  
14 SPACE TO A SCHOOL BUILDING TO PROVIDE A PRIVATE SPACE TO COMPLY WITH THE  
15 STUDENT TELEHEALTH POLICY REQUIRED UNDER THIS SECTION; OR

16 (2) ALTER THE RESPONSIBILITIES OF A HEALTH CARE PROVIDER  
17 REGARDING THE DISCLOSURE OF MEDICAL RECORDS UNDER TITLE 4, SUBTITLE 3  
18 OF THE HEALTH – GENERAL ARTICLE, INCLUDING THE AUTHORITY TO DISCLOSE A  
19 MEDICAL RECORD IN THE CASE OF AN EMERGENCY.

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
21 1, 2024.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.