

**House Bill 65 Public Schools – Medical and Psychological Treatment in School-Based Health
Centers and Public Schools – Parental Notice**

House Health and Government Operations Committee

March 13, 2024

Position: Oppose

Mental Health Association of Maryland (MHAMD) is a nonprofit education and advocacy organization that brings together consumers, families, clinicians, advocates and concerned citizens for unified action in all aspects of mental health and substance use disorders (collectively referred to as behavioral health). We appreciate the opportunity to provide this testimony in opposition to HB 65.

HB 65 would require that a school medical health practitioner or a certified school psychologist, employed or under contract with a school system, notify parents about any consultation, diagnosis or treatment provided to a student.

HB 65 would have a chilling effect on adolescents' access to both physical health and mental health treatment. Many minors will avoid treatment if they know it won't be kept private from their parents. This can be especially true for LGBTQ students, sexually active students, and students with a substance use problem. Decades of research findings have documented the importance of privacy concerns for young people in the adolescent age group.¹

In 2021, the Maryland legislature, recognizing the importance of a minor's confidentiality, passed HB 132/SB 41, which lowered the age of consent for consultation, diagnosis and treatment of a mental or emotional disorder to age 12. This aligned Maryland with many other states, including Georgia, Illinois, West Virginia, Alabama, and Colorado. Other states have informed consent laws for mental health treatment for youth aged 13 or over, including Florida.²

HB 65 would prevent youth from accessing sometimes critically needed medical or mental health services. For this reason, MHAMD opposes HB 65 and urges an unfavorable report.

¹ Center for Adolescent Health & the Law. Adolescent & Young Adult Health Care in Maryland. March 2019. Accessed March 10, 2024. https://nahic.ucsf.edu/wp-content/uploads/2019/01/Maryland-AYAH-Confidentiality-Guide_Final.pdf

² Maryland Psychiatric Society, Lower Age of Consent took Effect October 1. November 2021. Accessed March 10, 2024. <https://mdpsych.org/2021/11/lower-age-for-consent-took-effect-october-1/>