

**HB 1060 – Primary and Secondary Schools – Petitions for Emergency Evaluation –  
Requirement for Tracking and Reporting Study**

House Ways and Means Committee

March 10, 2026

**Position: FAVORABLE WITH AMENDMENT**

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 support of HB 1060.

HB 1060 would require that schools collect several data points on their use of emergency petitions (EPs), that the data be provided to MSDE, compiled into a comprehensive report for the General Assembly and the public, and reviewed by a workgroup to make recommendations on how to improve training and policy related to school-based mental health crisis responses.

The experience of being emergency-petitioned is traumatic for any youth and should only be used in the most extreme circumstances when a child has a mental health crisis and poses a threat of harm to themselves or to others, as required by law. This report from a foster mother underscores the horror of the ordeal:

*They did transport our foster son to the emergency department. On one occasion they did ask to take his booster seat and on the other occasion they did not. On one occasion they put him in zip tie handcuffs and on the second occasion they did not.<sup>1</sup>*

The foster mother is describing the EP of a child who is young enough to have a booster seat, yet on one occasion he was placed in zip tie handcuffs. This is not unusual. Children are then transported by law enforcement to a hospital. No one would disagree that such a scenario should be avoided if at all possible.

Yet we know that schools can use EPs excessively in circumstances that do not warrant their use. In 2017, Wicomico County Public Schools entered into an agreement with the United States Department of Justice regarding excessive use of emergency petitions. In 2022, children were handcuffed and sent to the emergency room from Wicomico schools at least 117 times –

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<sup>1</sup> Listening and Learning from Families: Crisis Services and the Experiences of Families Caring for Children with Behavioral Health Needs. Maryland Coalition of Families (2021). <https://www.mdcoalition.org/wp-content/uploads/Listening-and-Learning-from-Families-2021.pdf>

almost half were 12 or under, and more than half were black.<sup>2</sup> Many of these youth were not posing an imminent threat of danger to self or others, they were being emergency petitioned in response to behaviors that could be managed in the school with proper staff training and appropriate supports.

To address the problem of excessive use of EPs by schools, we need to know how often they are being used, where they are occurring, what are the circumstances resulting in EPs, and what students are being EPd. Yet there are not standard reporting mechanisms for schools' use of EPs. Some local school systems collect the data, some local police departments collect the data, and in some jurisdictions the data is not collected at all.

Because emergency petitions are traumatic for students, because they have been used as a coercive form of discipline with some students, and because it is impossible to identify trends without centralized data from all jurisdictions, HB 1060 requires data reporting and centralized compilation of the data. MSDE currently collects data regarding suspensions and expulsions, the use of restraint and seclusion, and school-based arrests. Adding collection of data regarding the use of emergency petitions will enable the Department to target training and support to school systems to ensure that EPs are used only when the requirements are met and less restrictive interventions have been unsuccessful in de-escalating the student.

We ask for one amendment – HB 1060 establishes a workgroup to study the use of EPs involving students in schools and to improve coordination, training, and policy related to school-based mental health crisis responses. For the last decade, MHAMD's Children's Behavioral Health Coalition has been working to see to the development of Mobile Response and Stabilization Services for children and youth. **We ask that Mental Health Association of Maryland be added as a member of the workgroup.**

For these reasons, MHAMD supports HB 1060 and urges a favorable report with an amendment.

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<sup>2</sup> Meredith Kolodner. The School District where kids are sent to psychiatric emergency rooms more than three times a week - some as young as five. The Hechinger Report (2023). <https://hechingerreport.org/widely-used-and-widely-hidden-the-district-where-kids-as-young-as-5-are-sent-to-psychiatric-hospitals-more-than-three-times-per-week/>