



LEGISLATIVE FISCAL OFFICE
Fiscal Note

Fiscal Note On: **HB 872** HLS 24RS 1606
 Bill Text Version: **ORIGINAL**
 Opp. Chamb. Action:
 Proposed Amd.:
 Sub. Bill For.:

Date: April 9, 2024	4:08 PM	Author: MILLER, D.
Dept./Agy.: EDUCATION		
Subject: Behavioral health services for students during school hours		Analyst: Julie Silva

STUDENTS OR NO IMPACT See Note Page 1 of 1
 Provides relative to behavioral health services for students

Proposed law specifies that behavioral health services provided to public school students must be medically necessary, authorized by an independent third party payor, and may be provided during any part of the school day. Exempts providers who are licensed, certified, or registered by the Louisiana Behavior Analyst Board and provide documentation of having passed a criminal background check with State Police in the previous year from passing a new check. Present law does not allow an authority to prohibit a behavioral health evaluation, assessment, or authorized treatment plan from being performed on school property. Proposed law creates a procedure for grievances and appeals in instances when a public school governing authority disagrees with a behavioral health provider's evaluation, assessment, or proposed treatment plan. Requires the Board of Elementary and Secondary Education (BESE) to promulgate rules to implement the provisions of present law and proposed law.

EXPENDITURES	2024-25	2025-26	2026-27	2027-28	2028-29	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	\$0	\$0	\$0	\$0	\$0	\$0
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

REVENUES	2024-25	2025-26	2026-27	2027-28	2028-29	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	\$0	\$0	\$0	\$0	\$0	\$0
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

EXPENDITURE EXPLANATION

There is no anticipated direct material effect on governmental expenditures as a result of this measure. Proposed legislation creates an appeals process in the event that a public school governing authority opposes a plan designed by a behavioral health provider. The governing authority may opt to provide a written report explaining its opposition and propose an alternative plan. If the behavioral health provider then chooses to amend their original plan, the student's parent is given the option to choose which version of the plan they want implemented.

Proposed legislation prohibits a governing authority from hindering implementation of the parent-selected plan and allows for a process by which the parent may file a written complaint to the Louisiana Department of Education (LDOE) if the governing authority does so. LDOE will then notify the superintendent of the governing authority of receipt of the complaint and require a response within 30 days that provides evidence the plan is being implemented as approved by the parent. LDOE then has 14 days to determine if the evidence provided is sufficient and demonstrates the governing authority is in compliance with the proposed plan. If the evidence is deemed insufficient, the governing authority has 30 days to implement the parent approved plan. **LDOE reports any increase in complaints received by the department as a result of proposed legislation can be managed within existing processes by existing staff, at no additional cost. Local schools are not anticipated to realize an increase in expenditures as a result of the creation of an appeals process.**

REVENUE EXPLANATION

There is no anticipated direct material effect on governmental revenues as a result of this measure.

Senate Dual Referral Rules
 13.5.1 >= \$100,000 Annual Fiscal Cost {S & H}
 13.5.2 >= \$500,000 Annual Tax or Fee Change {S & H}

House
 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}
 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}


Patrice Thomas
Deputy Fiscal Officer