

GREEN SHEET REDIGEST

HB 766

2018 Regular Session

Pierre

(KEYWORD, SUMMARY, AND DIGEST as amended by Senate committee amendments)

HEALTH/BEHAVIORAL: Provides for access to behavioral health services providers in schools.

DIGEST

Proposed law provides that a public school governing authority shall not prohibit a behavioral health provider from providing behavioral health services to a student at school during school hours if requested by the student's parent or legal guardian. Authorizes such governing authorities to adopt policies to implement proposed law that include the following:

- (1) A behavioral health provider shall maintain general liability insurance coverage in an amount not less than one million dollars per occurrence and one million dollars per aggregate and provide a certificate of insurance naming the public school as the certificate holder.
- (2) A behavioral health provider shall complete a criminal background check conducted by the Louisiana State Police and pay all related costs.
- (3) Behavioral health services shall be permitted during school hours if the student's parent or legal guardian presents a behavioral health evaluation performed by an evaluator chosen by the parent or legal guardian and the evaluation indicates that the services are necessary during school hours to assist the student with behavioral health impairments that the evaluator determines are interfering with the student's ability to thrive in the educational setting.
- (4) Behavioral health services may be provided during instructional time in English, reading, mathematics, and science if the public school governing authority and the behavioral health provider agree that it is in the best interest of the student.
- (5) A public school governing authority shall not enter into a contract or an exclusive agreement with a behavioral health provider that prohibits the parent or legal guardian from choosing the behavioral health provider for the student.
- (6) The cost of all behavioral health services provided to a student shall be the sole responsibility of the parent or legal guardian.
- (7) A public school governing authority may provide for sanctions against a behavioral health provider for failure to comply with the governing authority's policy.

Provides that the failure of a public school governing authority to adopt a policy shall not prohibit the provision of behavioral health services to a student as provided in proposed law.

Defines "behavioral health provider", "behavioral health services", and "evaluator" for purposes of proposed law.

(Adds R.S. 17:173 and 3996(B)(45))

Summary of Amendments Adopted by House

The House Floor Amendments to the engrossed bill:

1. Add that public school governing authorities may adopt policies to implement proposed law; list matters to be included in such policies.
2. Define "evaluator".

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Health and Welfare to the reengrossed bill

1. Provides that the behavioral health provider shall maintain general liability insurance coverage in an amount not less than one million dollars per occurrence and one million dollars per aggregate and provide a certificate of insurance naming the public school as the certificate holder.
2. Provides that the required criminal background check shall be conducted by the Louisiana State Police.
3. Provides that a "behavioral health provider", as defined in proposed law, shall be licensed by the Louisiana Department of Health or a health profession licensing board and be in good standing.