

2026 Regular Session

HOUSE BILL NO. 352

BY REPRESENTATIVES MACK, ADAMS, CHASSION, DICKERSON, EDMONSTON,
DANA HENRY, JACKSON, LAFLEUR, SPELL, AND VILLIO

STUDENTS: Provides relative to behavioral health services for public school students

1 AN ACT

2 To amend and reenact R.S. 17:173(A)(2)(introductory paragraph), (c), (e), and (h) and (D)
3 and to enact R.S. 17:173(A)(2)(l) and (B)(9), relative to behavioral health services
4 for public school students; to provide for related policies adopted by public school
5 governing authorities; to provide for definitions; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 17:173(A)(2)(introductory paragraph), (c), (e), and (h) and (D) are
8 hereby amended and reenacted and R.S. 17:173(A)(2)(l) and (B)(9) are hereby enacted to
9 read as follows:

10 §173. Behavioral health services for students

11 A.

12 * * *

13 (2) Each public school governing authority shall adopt ~~and make available~~
14 ~~to the public~~ a policy to implement the provisions of this Section. The authority
15 shall make such policy available to the public by, at a minimum, posting it on its
16 website and shall include it in its student handbook. The policy shall not create
17 onerous requirements for behavioral health providers resulting in a delay or barrier
18 to the provision of medically necessary services. The policy, at a minimum, shall
19 provide that:

20 * * *

1 Individualized Accommodation Plan, Section 504 Plan, Behavior Management Plan,
2 or Individualized Health Plan applicable to a student who is a patient of the provider.

3 The services furnished by a provider shall be incorporated into a written treatment
4 plan applicable to a student.

5 * * *

6 (l)(i) Within twenty-one days after a parent or guardian submits a behavioral
7 health treatment plan to a school administrator and no later than fourteen school days
8 after behavioral health services begin, the school administrator or his designee shall
9 ensure that a school-based service delivery review meeting is held in person or
10 virtually. At a minimum, the meeting shall include the school administrator or his
11 designee, the student's classroom teacher or teachers, and the behavioral health
12 provider. The meeting may also include the student's special education teacher, case
13 manager, or other school employee responsible for implementation of the student's
14 Individualized Education Plan, Individualized Accommodation Plan, Section 504
15 Plan, Behavior Intervention Plan, or Individualized Health Plan.

16 (ii) Behavioral health services may begin prior to the school-based service
17 delivery review meeting, if reasonable efforts are made to coordinate with school
18 personnel. A behavioral health provider may initiate and continue medically
19 necessary services, and the school shall provide reasonable access to the student,
20 pending completion of the meeting. Reasonable access shall include the ability to
21 enter the school, observe the student, and deliver authorized services during the
22 school day in coordination with instructional activities.

23 (iii) The school-based service delivery review meeting shall address, at a
24 minimum, the following:

25 (aa) Review of the provider's written treatment plan and any applicable
26 Individualized Education Plan, Individualized Accommodation Plan, Section 504
27 Plan, Behavior Intervention Plan, or Individualized Health Plan.

1 (bb) The role and responsibilities of the behavioral health provider while on
2 the school campus, including activities to be conducted in the classroom during
3 instructional time.

4 (cc) The classroom routines, school policies, and behavioral expectations
5 applicable to the student.

6 (dd) The method and frequency of ongoing communication between the
7 behavioral health provider and school personnel and the chain of communication for
8 questions or concerns.

9 (ee) The schedule for behavioral health services during the school day,
10 including how services will be coordinated with instructional activities, assessments,
11 and school-wide events.

12 (ff) Procedures for requesting a follow-up school-based service delivery
13 review meeting when the behavioral health provider changes or there is a material
14 change in the student's classroom or educational placement or in the behavioral
15 health provider's written treatment plan.

16 (iv) A behavioral health provider delivering services pursuant to this Section
17 shall use reasonable efforts to minimize disruption to instruction and classroom
18 management.

19 (v) Recommendations, concerns, or requested changes regarding classroom
20 strategies, interventions, accommodations, modifications, supports, or safety
21 procedures shall be communicated to the teacher and the school administrator or his
22 designee outside the presence of other students, except when immediate action is
23 necessary to prevent imminent risk of harm to the student or another person.

24 (vi) A behavioral health provider shall not direct, supervise, or evaluate the
25 job performance of a teacher or other school employee.

26 (vii) A behavioral health provider's role in the classroom shall be limited to
27 delivery of services to the designated student, which may include collaboration with
28 school personnel to support implementation of the student's treatment plan.

Present law requires such governing authorities to adopt and make available to the public policies for the implementation of present law. Proposed law retains present law and further requires each public school governing authority to post its policy on its website and include it in its student handbook.

Present law requires that such policies include that behavioral health services shall be permitted during school hours if the student's guardian presents a behavioral health evaluation performed by an evaluator as well as an assessment and authorized treatment plan performed by a behavioral health provider chosen by the guardian and the evaluation indicates that the services are necessary during school hours to assist the student with behavioral health impairments associated with a medical diagnosis that the evaluator determines are interfering with the student's ability to thrive in the educational setting. Proposed law retains present law. Proposed law prohibits, if supervision of a behavioral health provider providing services to a student is conducted virtually, any student other than the student receiving services from being recorded.

Present law requires each public school governing authority policy to authorize behavioral health services to be provided during any part of the school day, including any and all instructional time in English, reading, mathematics, and science. Proposed law requires, instead of authorizes, such services to be provided at such times and further specifies they be provided in a physical classroom, they be medically necessary, and adds an exception that services are required to be provided outside a physical classroom if it is medically necessary.

Proposed law requires each public school governing authority policy to provide for a school-based service delivery review meeting, defined as a meeting held, either in person or virtually, for the purpose of reviewing the delivery of behavioral health services in the school setting, including the behavioral health provider's role, applicable student plans, classroom expectations, communication, scheduling, and other procedures necessary to support uninterrupted instruction and appropriate coordination with school personnel and the behavioral health provider.

(Amends R.S. 17:173(A)(2)(intro. para.), (c), (e), and (h) and (D); Adds R.S. 17:173(A)(2)(1) and (B)(9))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Education to the original bill:

1. Add exception to requirement that behavioral health services be provided in a physical classroom, providing that such services are required to be provided outside of the physical classroom if it is medically necessary.
2. Remove prohibition on a board certified behavior analyst virtually supervising a behavior technician administering services. Instead, prohibit any student, other than the student receiving services, from being recorded if supervision is virtual.
3. Remove proposed law definitions of "board certified behavior analyst" and "behavior technician".

The House Floor Amendments to the engrossed bill:

1. Require each public school governing authority to include in its policy provisions requiring school-based service delivery review meetings.
2. Add definition of "school-based service delivery review meeting".