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**HOUSE COMMITTEE AMENDMENTS**

2026 Regular Session

Substitute for Original House Bill No. 1022 by Representative Jackson as proposed by the House Committee on Education

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**This document reflects the content of a substitute bill but is not in a bill form; page numbers in this document DO NOT correspond to page numbers in the substitute bill itself.**

To enact R.S. 17:171.1 and 3996(B)(24), relative to school-based health center services; to require public school governing authorities to adopt policies providing for the provision of school-based health center services to students; to provide for definitions; to require the State Board of Elementary and Secondary Education to adopt rules in consultation with certain entities; to provide for applicability; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:171.1 and 3996(B)(24) are hereby enacted to read as follows:

§171.1. School-based health center services for students

A.(1)(a) If a student's parent or legal guardian or a student who has reached the age of majority consents to medically necessary school-based health center services, no school administrator or other school employee shall prohibit the student from accessing the services.

(b) The provisions of this Section shall apply to school-based health center services provided on a school campus through a school-based health center or other provider arrangement; however, nothing in this Section shall be construed to require any public school governing authority or school to establish or provide such services.

(2) The governing authority of any public school where school-based health center services are available to students shall adopt and make available to the public a policy to implement the provisions of this Section. The policy shall not create onerous requirements for healthcare providers resulting in a delay or barrier to the provision of medically necessary school-based health center services. The policy, at a minimum, shall provide that:

(a) Healthcare providers who are licensed, certified, or registered by their applicable licensing, certification, or registration board, who provide documentation of having passed a criminal background check conducted by the Louisiana State Police, and who are in good standing with the applicable board shall not be required by a public school governing authority to complete an additional criminal background check in order to begin providing school-based health center services.

(b) School-based health center services shall be permitted during school hours if the student's parent or legal guardian has requested such services and a healthcare provider determines that evaluation or treatment is necessary during school hours to assist the student with a health condition, illness, or injury requiring evaluation or treatment.

(c) A public school governing authority shall not prohibit a health evaluation, assessment, or authorized treatment plan from being performed on school property in order to establish medical necessity or deliver medically necessary services. School-based health center services may be provided during any part of the school day, including any and all instructional time in English, reading, mathematics, and science.

(d) The cost of all school-based health center services provided to a student shall be the sole responsibility of the parent or legal guardian, individually or through an applicable health insurance policy, Medicaid, or other third-party payor, other than the public school governing authority, that has made funds available for the payment for the services provided.

(e) Notwithstanding any provision of this Section to the contrary, a school-based health center shall not be required to enter into a consent to release information agreement with a public school governing authority that requires the disclosure of protected health information. Any information shared by a school-based health center with a public school governing authority shall be limited to nonclinical information necessary for care coordination, student safety, or compliance with applicable law and shall be subject to all applicable state and federal confidentiality requirements, including but not limited to the Health

Insurance Portability and Accountability Act and the Family Educational Rights and Privacy Act.

(f) The determination of the need for health evaluation and school-based health center services shall be made by a healthcare provider acting within the scope of his professional license. No school employee who is not licensed to provide healthcare services shall determine whether a student may receive an evaluation or treatment by a healthcare provider.

(3) The failure of a public school governing authority to adopt a policy shall not be cause to prohibit the provision of school-based health center services to a student as provided in this Section.

(4) School-based health center services shall be delivered by healthcare providers licensed, certified, or registered by their applicable health profession licensing board.

B. For purposes of this Section, the following terms have the following meanings:

(1) "Healthcare provider" means a physician or other healthcare practitioner who is licensed, certified, registered, or otherwise authorized by law to provide health care services consistent with state law.

(2) "Medically necessary" means that services meet the following requirements as determined by the healthcare provider, as applicable, or the applicable independent third-party payor:

(a) The services are for the diagnosis, treatment, cure, or relief of a health condition, illness, injury, or disease.

(b) The services are within the generally accepted standards of medical care in the community.

(c) The services are not solely for the convenience of the insured, the insured's family, or the provider.

(3) "School-based health center services" means primary health or behavioral health services delivered to students through a school-based health center or other

provider arrangement, including but not limited to fixed-site clinics, mobile units, and other models operated by healthcare providers.

C. Nothing in this Section shall be construed to conflict with or interfere with a student's access to behavioral health services provided pursuant to R.S. 17:173.

D. The State Board of Elementary and Secondary Education, in consultation with the Louisiana Department of Health, bureau of family health, as well as the Louisiana State Board of Medical Examiners and the Louisiana State Board of Nursing, shall promulgate rules in accordance with the Administrative Procedure Act for the implementation of the provisions of this Section.

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§3996. Charter schools; exemptions; requirements

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B. Notwithstanding any state law, rule, or regulation to the contrary and except as may be otherwise specifically provided for in an approved charter, a charter school established and operated in accordance with the provisions of this Chapter and its approved charter and the school's officers and employees shall be exempt from all statutory mandates or other statutory requirements that are applicable to public schools and to public school officers and employees except for the following laws otherwise applicable to public schools with the same grades:

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(24) School-based health center services for students, R.S. 17:171.1.

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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HB Draft 2026 Regular Session

**Abstract:** Provides relative to school-based health center services provided to students.

Proposed law provides that if a student's parent or legal guardian or a student who has reached the age of majority consents to medically necessary school-based health center

services, no school administrator or other school employee shall prohibit the student from accessing the services.

Proposed law provides that proposed law applies to school-based health center services provided on a school campus through a school-based health center or other provider arrangement but that nothing in proposed law shall be construed to require any public school governing authority or school to establish or provide such services.

Proposed law requires the governing authority of any public school where school-based health center services are available to students to adopt and make available to the public a policy that shall not create onerous requirements for healthcare providers resulting in a delay or barrier to the provision of medically necessary school-based health center services and that, at a minimum, shall provide the following:

- (1) Healthcare providers who are licensed, certified, or registered by their applicable licensing, certification, or registration board, who provide documentation of having passed a criminal background check conducted by the La. State Police, and who are in good standing with the applicable board shall not be required by a public school governing authority to complete an additional criminal background check in order to begin providing school-based health center services.
- (2) School-based health center services shall be permitted during school hours if the student's parent or legal guardian has requested such services and a healthcare provider determines that evaluation or treatment is necessary during school hours to assist the student with a health condition, illness, or injury requiring evaluation or treatment.
- (3) A public school governing authority shall not prohibit a health evaluation, assessment, or authorized treatment plan from being performed on school property in order to establish medical necessity or deliver medically necessary services, and school-based health center services may be provided during any part of the school day, including any and all instructional time in English, reading, mathematics, and science.
- (4) The cost of all school-based health center services provided to a student shall be the sole responsibility of the parent or legal guardian, individually or through an applicable health insurance policy, Medicaid, or other third-party payor, other than the public school governing authority, that has made funds available for the payment for the services provided.
- (5) A school-based health center shall not be required to enter into a consent to release information agreement with a public school governing authority that requires the disclosure of protected health information, and any information shared by a center with a public school governing authority shall be limited to nonclinical information necessary for care coordination, student safety, or compliance with applicable law and shall be subject to all applicable state and federal confidentiality requirements.
- (6) The determination of the need for health evaluation and school-based health center services shall be made by a healthcare provider acting within the scope of his professional license, and no school employee who is not licensed to provide healthcare services shall determine whether a student may receive an evaluation or treatment by a healthcare provider.
- (7) The failure of a public school governing authority to adopt a policy shall not be cause to prohibit the provision of school-based health center services to a student as provided in proposed law.

- (8) Any school-based health center services provided by a governing authority as provided in proposed law shall be delivered by healthcare providers licensed, certified, or registered by their applicable health profession licensing board.

Proposed law provides that nothing in proposed law shall be construed to conflict with or interfere with a student's access to behavioral health services provided pursuant to present law (R.S. 17:173).

Proposed law requires the State Bd. of Elementary and Secondary Education, in consultation with the La. Dept. of Health, bureau of family health, as well as the Louisiana State Bd. of Medical Examiners and the La. State Bd. of Nursing, to promulgate rules in accordance with the Administrative Procedure Act for proposed law implementation.

(Adds R.S. 17:171.1 and 3996(B)(24))