
DIGEST

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HB 1249 Original

2026 Regular Session

Jackson

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))