

GREEN SHEET REDIGEST

HB 1249

2026 Regular Session

Jackson

HEALTH/SCHOOL CLINICS: Provides relative to school-based health center services provided to students.

DIGEST

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) A public school governing authority may 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. The school and the school-based health center shall work collaboratively, in accordance with the school's policy, to create a student visitation and treatment schedule that meets the medical needs of the student, complies with the healthcare provider's ethical code of conduct, and considers the impact on the school's operations and the student's instructional time and testing schedules.
- (3) 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.
- (4) 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.
- (5) A parent or legal guardian may, at any time, revoke consent granted for a student to receive school-based health center services.

Proposed law further provides:

- (1) 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.

- (2) 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).

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

Summary of Amendments Adopted by House

The House Floor Amendments to the engrossed bill:

1. Remove authorization for services to be provided during any part of the school day, including instructional time.
2. Remove provisions relative to the cost of school-based health center services.
3. Add requirement that the school and the center work collaboratively to create a student visitation and treatment schedule that meets certain criteria.
4. Add requirement that a center notify a student's parent or legal guardian prior to providing healthcare services unless the services are routine in nature.
5. Add that a parent or legal guardian may, at any time, revoke consent granted for a student to receive school-based health center services.
6. Remove rulemaking requirement.

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Education to the reengrossed bill

1. Remove language that allows for school-based health center services during school hours if requested and the healthcare provider determines it necessary.
2. Change the public school governing authority's ability related to prohibiting a health evaluation, assessment, or authorized treatment plan from being performed on school property from "shall not" to "may not".
3. Remove language that requires the school-based health center to notify a student's parent prior to providing healthcare services unless services are routine in nature.
4. Make technical changes.