

GREEN SHEET REDIGEST

HB 352

2026 Regular Session

Mack

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

DIGEST

Present law prohibits a public school governing authority from denying a student access to medically necessary behavioral health services at school during school hours if requested by the student's parent or legal guardian. Proposed law retains present law.

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 are to 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 provides that, if supervision of the behavioral health provider is conducted virtually, no other student except the student receiving behavioral health services shall be 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.

Proposed law provides that a contract or agreement between a public school governing authority and a behavioral health provider may specify whether a school principal has the authority to dismiss a behavioral health provider staff member from campus and the circumstances under which such dismissal is permitted.

Proposed law provides that the school-based service delivery meeting is not to take the place of any meetings required by a student's Individualized Education Plan (IEP). Proposed law further provides that school-based service delivery meeting shall not take the place of any meetings required by a student's IEP.

Proposed law prohibits a behavioral health provider from implementing or directing medically necessary services that knowingly interfere, impede, or conflict with services a

school is legally required to provide under a student's IEP unless there is collaboration and agreement between the service providers.

Proposed law provides that, in the event of a conflict between a student's IEP, student's with disabilities plan, health-related school plan, and a behavioral health provider's treatment plan, the applicable plan controls with respect to the educational services and supports provided.

Proposed law further provides that medically necessary behavioral health services are not required to be included in any student school plan to be provided on school property and may not be denied solely because they are not included in a particular plan.

(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".

Summary of Amendments Adopted by Senate

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

1. Authorizes the school principal to dismiss a behavioral health provider.
2. Provides that a school-based service delivery meeting is not to replace any meeting required under a student's IEP.
3. Provides with respect to various student plans that control delivery of services to the student.
4. Behavioral health services are not to be denied because they are not in a student's plans.