

2026 Regular Session

HOUSE BILL NO. 352

BY REPRESENTATIVES MACK, ADAMS, CHASSION, DICKERSON, EDMONSTON,
DANA HENRY, JACKSON, LAFLEUR, SPELL, AND VILLIO AND SENATORS
BARROW, FOIL, HODGES, JACKSON-ANDREWS, JENKINS, MYERS, AND
TALBOT

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 * * *

21 (c) Behavioral health services shall be permitted during school hours if the
22 student's parent or legal guardian presents a behavioral health evaluation performed

1 by an evaluator as well as an assessment and authorized treatment plan performed
 2 by a behavioral health provider chosen by the parent or legal guardian and the
 3 evaluation indicates that the services are necessary during school hours to assist the
 4 student with behavioral health impairments associated with a medical diagnosis that
 5 the evaluator determines are interfering with the student's ability to thrive in the
 6 educational setting. If supervision of the behavioral health provider is conducted
 7 virtually, no other student except the student receiving behavioral health services
 8 shall be recorded.

* * *

9 (e) A public school governing authority shall not prohibit a behavioral health
 10 evaluation, assessment, or authorized treatment plan from being performed on school
 11 property in order to establish medical necessity or deliver medically necessary
 12 services. Behavioral health services ~~may~~ shall be provided in a physical classroom,
 13 to the extent that it is medically necessary, during any part of the school day,
 14 including any and all instructional time in courses including but not limited to
 15 English, reading, mathematics, and science. However, behavioral health services
 16 shall also be provided outside of the physical classroom to the extent that it is
 17 medically necessary. The school administrator and service provider shall work
 18 collaboratively to create a consistent schedule that meets the medical needs of the
 19 student and complies with the provider's ethical code of conduct. In developing the
 20 student's plan, consideration shall include impacts on a school's operations and a
 21 student's testing schedule. If the parties cannot agree, then the parties shall engage
 22 in a dispute resolution process set forth by the state Department of Education in
 23 accordance with Subsection D of this Section.

* * *

24 (h) While on a school campus, a behavioral ~~service~~ health provider shall
 25 comply with, and abide by, the terms of any Individualized Education Plan,
 26 Individualized Accommodation Plan, Section 504 Plan, Behavior Management Plan,
 27 or Individualized Health Plan applicable to a student who is a patient of the provider.

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. The school-based service delivery meeting
16 shall not take the place of any meetings required by a student's Individualized
17 Education Plan.

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

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

26 (vii) A behavioral health provider shall not direct, supervise, or evaluate the
27 job performance of a teacher or other school employee.

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

1 property, nor shall the absence of such services from any such student plan constitute
2 a basis to deny those services.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____