

# ACT No. 944

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 \* \* \*

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

25 \* \* \*

26 (h) While on a school campus, a behavioral ~~service~~ health provider shall  
 27 comply with, and abide by, the terms of any Individualized Education Plan,  
 28 Individualized Accommodation Plan, Section 504 Plan, Behavior Management Plan,  
 29 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: \_\_\_\_\_