

25103577D

SENATE BILL NO. 1130

Offered January 8, 2025

Prefiled January 7, 2025

A BILL to amend and reenact § 22.1-272.2 of the Code of Virginia, relating to school boards; school-based mental health teletherapy services; increasing accessibility of mental health teletherapy services; policies and requirements.

Patron—Perry

Referred to Committee on Education and Health

Be it enacted by the General Assembly of Virginia:

1. That § 22.1-272.2 of the Code of Virginia is amended and reenacted as follows:

§ 22.1-272.2. Department; model memorandum of understanding; partnerships with community mental health services providers or a nationally recognized school-based telehealth provider.

A. The Department, in consultation with the Department of Behavioral Health and Developmental Services and the Department of Medical Assistance Services, shall develop, adopt, and distribute to each school board a model memorandum of understanding between a school board and a public or private community mental health services provider or a nationally recognized school-based telehealth provider that sets forth parameters for the provision of mental health services to public school students enrolled in the local school division by such provider, including the provision of mental health teletherapy for students outside of regular school hours and during regular school hours on school property, reflects effective practices, and addresses privacy considerations related to the exchange of information between the parties to the memorandum of understanding and relevant laws and regulations. The Department shall maintain and update as necessary the model memorandum of understanding to ensure that it remains current, useful, and relevant.

B. Each school board shall, in order to increase the accessibility of mental health services for public school students, (i) permit any public school student in the school division to schedule and participate in mental health teletherapy services on school property during regular school hours on the same basis as such students are permitted to schedule and participate in school counseling services and (ii) enter into a memorandum of understanding with a nationally recognized school-based telehealth provider in accordance with the model memorandum of understanding developed by the Department pursuant to subsection A that ensures and sets forth parameters for the provision of mental health teletherapy services for students during regular school hours.

C. Each school board shall develop and implement policies and procedures for permitting any public school student in the school division to schedule and participate in mental health teletherapy services on school property during regular school hours pursuant to subsection B. Such policies shall:

1. Be consistent with the parameters set forth in the memorandum of understanding between the school board and the nationally recognized school-based telehealth provider pursuant to subsection B;

2. Require each public elementary and secondary school to (i) designate a location in such school for students to use for such mental health teletherapy appointments that ensures the privacy and safety of such students and has Internet access and (ii) implement measures to ensure the safety and privacy of each student participating in a mental health teletherapy appointment that are consistent with but may be more comprehensive than the privacy considerations included in such school board's memorandum of understanding;

3. Prohibit any student from being subject to any disciplinary measure or consequence for participating in a mental health teletherapy appointment during regular school hours on the same basis as he would be permitted to participate in school counseling services in person during regular school hours; and

4. Include such other requirements as the school board deems necessary and appropriate.

D. Each school board shall develop, post in a publicly accessible location on its website, and make available to all administrative and instructional personnel in the school division at the beginning of each school year informational materials relating to the policies developed and implemented pursuant to subsection C.

INTRODUCED

SB1130

1/28/25 10:22