

By: Guerra

H.B. No. 1060

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the implementation of telehealth services programs at
3 certain public primary and secondary schools and the appointment of
4 a telehealth services program task force to conduct a study and
5 issue a report concerning the implementation of those programs.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

7 SECTION 1. Subchapter A, Chapter 38, Education Code, is
8 amended by adding Sections 38.037 and 38.038 to read as follows:

9 Sec. 38.037. TELEHEALTH SERVICES PROGRAM. (a) In this
10 section, "telehealth service" means a health care service delivered
11 by a health professional licensed, certified, or otherwise entitled
12 to practice in this state and acting within the scope of the health
13 professional's license, certification, or entitlement to a patient
14 at a different physical location than the health professional using
15 telecommunications or information technology.

16 (b) Beginning with the 2027-2028 school year, a school
17 district that does not employ a full-time school nurse shall
18 implement a telehealth services program under which district
19 students and employees receive access to telehealth services at
20 each campus of the district.

21 (c) Telehealth services provided under a program
22 implemented under this section:

23 (1) must be provided at no cost to students and
24 employees; and

1 (2) may be provided to a student only with the written
2 consent of the student's parent, guardian, or other person having
3 lawful control of the student.

4 Sec. 38.038. TELEHEALTH SERVICES PROGRAM TASK FORCE; STUDY;
5 REPORT. (a) The commissioner, in consultation with the State Board
6 of Education, shall appoint a task force composed of agency
7 employees and qualified stakeholders, including individuals with
8 experience as educators or parents of public school students.

9 (b) The task force appointed under Subsection (a) shall
10 conduct a study on the implementation of telehealth services
11 programs under Section 38.037 by school districts to which that
12 section applies. The study must:

13 (1) evaluate the availability of telehealth services
14 for each school district that does not employ a full-time school
15 nurse; and

16 (2) identify changes to state law or policy necessary
17 to improve availability of telehealth services described by
18 Subdivision (1).

19 (c) Not later than September 1, 2024, the agency shall
20 submit to the governor, the lieutenant governor, and the members of
21 the legislature a report containing the results of the study
22 conducted under Subsection (b). The report must include:

23 (1) information from school districts regarding the
24 implementation of telehealth services programs under Section
25 38.037; and

26 (2) any recommended changes to state law or policy
27 identified by the task force under Subsection (b)(2).

1 (d) This section expires September 1, 2027.

2 SECTION 2. Not later than December 1, 2023, the
3 commissioner of education, in consultation with the State Board of
4 Education, shall appoint the task force required under Section
5 38.038, Education Code, as added by this Act.

6 SECTION 3. This Act takes effect immediately if it receives
7 a vote of two-thirds of all the members elected to each house, as
8 provided by Section 39, Article III, Texas Constitution. If this
9 Act does not receive the vote necessary for immediate effect, this
10 Act takes effect September 1, 2023.