

BILL ANALYSIS

Senate Research Center
88R2402 AMF-D

S.B. 662
By: LaMantia
Education
3/27/2023
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Presently, state law does not require public schools to have full-time nurses. As a result, there are currently fewer full-time nurses in Texas than there are public schools. However, current technology equips us with the ability to remedy this issue through the advent of telehealth, and S.B. 662 enables this.

If passed, S.B. 662 directs the State Board of Education to establish a Telehealth Services Task Force (TSTF) to evaluate the extent and quality of existing telehealth services, and to devise an implementation plan for future telehealth services in a report that is to be submitted to the governor, lieutenant governor, and legislature.

Following this report, beginning in the 2027-2028 school year, public schools that do not have a full-time nurse would be required to implement telehealth services. These telehealth services would be free at the point of service for students and employees, and would only be provided to students with parental consent.

Increased access to telehealth services is beneficial to both the students and the school districts. Students having access to telehealth services works to combat the epidemic of mental health issues currently faced by Texas youth. Additionally, telehealth access means that students spend more time in the classroom. School districts that implemented SchoolMed telehealth services from 2021-2022 found that their students collectively spent over 130 thousand more hours in the classroom, saving districts nearly \$1 million in academic daily attendance dollars.

As proposed, S.B. 662 amends current law relating to the implementation of telehealth services programs at certain public primary and secondary schools and the appointment of a telehealth services program task force to conduct a study and issue a report concerning the implementation of those programs.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter A, Chapter 38, Education Code, by adding Sections 38.037 and 38.038, as follows:

Sec. 38.037. TELEHEALTH SERVICES PROGRAM. (a) Defines "telehealth service."

(b) Requires a school district that does not employ a full-time school nurse to implement a telehealth services program under which district students and employees receive access to telehealth services at each campus of the district beginning with the 2027–2028 school year.

(c) Provides that telehealth services provided under a program under this section:

(1) are required to be provided at no cost to students and employees; and

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

Sec. 38.038. TELEHEALTH SERVICES PROGRAM TASK FORCE; STUDY; REPORT. (a) Requires the commissioner of education (commissioner), in consultation with the State Board of Education (SBOE), to appoint a task force composed of Texas Education Agency (TEA) employees and qualified stakeholders, including individuals with experience as educators or parents of public school students.

(b) Requires the task force appointed under Subsection (a) to conduct a study on the implementation of telehealth services programs under Section 38.037 by school districts to which the section applies. Requires that the study:

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

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

(c) Requires TEA to submit to the governor, the lieutenant governor, and the members of the legislature a report containing the results of the study conducted under Subsection (b) not later than September 1, 2024. Requires that the report include:

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

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

(d) Provides that this section expires September 1, 2027.

SECTION 2. Requires the commissioner, in consultation with SBOE, to appoint the task force required under Section 38.038, Education Code, as added by this Act, not later than December 1, 2023.

SECTION 3. Effective date: upon passage or September 1, 2023.