88R2402 AMF-D

By:  Guerra H.B. No. 1060

A BILL TO BE ENTITLED

AN ACT

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.

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

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

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

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

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

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

(2)  may 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) The commissioner, in consultation with the State Board of Education, shall appoint a task force composed of agency employees and qualified stakeholders, including individuals with experience as educators or parents of public school students.

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

(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)  Not later than September 1, 2024, the agency shall 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). The report must 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)  This section expires September 1, 2027.

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

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