

BILL ANALYSIS

Senate Research Center

H.B. 2202
By: Tillery (West)
Education
5/14/1999
Engrossed

DIGEST

Currently, there are no school-based health clinics across the state that provide health services to children without access to health care due to lack of providers or extreme poverty. H.B. 2202 sets forth provisions regarding health centers on public school campuses, including mental health services, funding, grant awards, surveys, and parental access to medical records.

PURPOSE

As proposed, H.B. 2202 sets forth provisions regarding health centers on public school campuses, including mental health services, funding, grant awards, surveys, and parental access to medical records.

RULEMAKING AUTHORITY

Rulemaking authority is granted to the commissioner of education and the commissioner of public health in SECTION 1 (Section 38.011(n), Education Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 38, Education Code, by adding Section 38.011, as follows:

Sec. 38.011. SCHOOL-BASED HEALTH CENTERS. Authorizes a school district to design a certain model for the deliver of cooperative health care programs for students and their families, and is authorized to compete for grants awarded under this sections. Sets forth provisions regarding the model. Sets forth provisions for the establishment of a school-based health center (SBHC). Authorizes an SBHC to provide services to a student, under certain conditions. Authorizes certain entities to give consent for a student to receive ongoing services, or may limit consent to service. Sets forth requirements for the consent form. Sets forth permissible categories of services. Prohibits the provision of reproductive services, counseling, or referrals from being provided through an SBHC. Sets forth requirements for any services which is provided by using grants. Requires certain joint identification of a student's health concerns by school staff and a student's guardian. Sets forth required notification related to the determination that a student is in need of a mental health services referral. Sets forth provisions for the board of trustees of a school district to establish and appoint members of an advisory council. Sets forth membership requirements for the council. Authorizes a school district to seek assistance in establishing and operating an SBHC, and requires cooperation. Sets forth identification and coordination requirements for certain entities in the case of an SBHC being located in a certain area. Requires the council to keep a certain record of efforts. Provides that certain requirements apply only to SBHCs serving certain areas. Sets forth medical notification requirements. Requires certain entities with whom the district contracts to seek all available sources of funding to pay for services. Requires the commissioner of education and the commissioner of public health (commissioners) to jointly administer a program under which grants are awarded to assist school districts with certain operational costs. Requires these commissioners to adopt rules and establish procedures for awarding grants. Prohibits a school district from receiving more than \$250,000 per biennium through grants. Sets forth grant eligibility requirements. Sets forth requirements for the rules. Provides that the commissioners are partners in administering the grants. Requires the Texas Education Agency and the Texas Department of Health to enter into a certain memorandum of understanding. Sets forth memorandum of understanding requirements. Requires the commissioners to jointly issue an annual report to the legislature about the relative efficacy of services delivered by certain entities. Requires the commissioners to ensure that data is collected and aggregated appropriately, in the process of obtaining statistics required fort the report.

Requires the commissioners to require client surveys to be conducted, and requires the results of those surveys to be included in the annual report.

SECTION 2. Amends Chapter 38, Education Code, by adding Section 38.012, as follows:

Sec. 38.012. NOTICE CONCERNING HEALTH CARE SERVICES. Sets forth board of trustees requirements prior to the authorization of a school district or school to expand or change health care services. Requires an opportunity for public comment on the proposal, in the process of a hearing. Requires the school district to provide certain information to certain entities annually.

SECTION 3. Amends Chapter 38, Education Code, by adding Section 38.0095, as follows:

Sec. 38.0095. PARENTAL ACCESS TO MEDICAL RECORDS. Entitles a parent or guardian to access the student's medical records which are maintained by a school district. Requires the school district to provide the records on request of the student's parent or guardian. Prohibits the district from imposing a charge for providing the copy that exceeds a certain charge for providing a copy of public information.

SECTION 4. Requires a school district to provide certain information annually, beginning January 1, 2000.

SECTION 5. Emergency clause.
Effective date: upon passage.