

1 STATE OF OKLAHOMA

2 1st Session of the 60th Legislature (2025)

3 HOUSE BILL 1523

By: Lowe (Dick)

6 AS INTRODUCED

7 An Act relating to student mental health; mandating
8 the State Department of Education to create a school-
9 based telehealth pilot program; requiring the
10 Department to contract with a telehealth provider;
11 requiring a request for proposal; providing
12 definitions; specifying proposal requirements;
13 prescribing contract requirements; stating school
14 district participation requirements and limitations;
15 providing fund limitations; requiring the Department
16 and participating school districts to evaluate the
17 program; requiring reporting to the Legislature;
18 mandating school districts to report compliance with
19 certain provisions; requiring the Department to seek
20 funding; limiting expenditures; providing for
21 codification; providing an effective date; and
22 declaring an emergency.

23 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

24 SECTION 1. NEW LAW A new section of law to be codified

in the Oklahoma Statutes as Section 24-162 of Title 70, unless there
is created a duplication in numbering, reads as follows:

A. The State Department of Education ("Department") shall
establish a school-based telehealth pilot program. The Department
shall contract with a single telehealth provider to provide mental
health care to students enrolled in participating school districts.

1 The Department shall issue a request for proposals to select the
2 telehealth provider.

3 B. For purposes of this section:

4 1. "Mental health care provider" means any person or other
5 entity who is licensed pursuant to the provisions of Title 59 or
6 Title 63 of the Oklahoma Statutes, or pursuant to the laws of
7 another state, to render mental health care services in the practice
8 of a profession or in the ordinary course of business;

9 2. "Health carrier" means an entity subject to the insurance
10 laws and regulations of this state, or subject to the jurisdiction
11 of the Insurance Commissioner, that contracts or offers to contract
12 to provide, deliver, arrange for, pay for or reimburse any of the
13 costs of health care services including through a health benefit
14 plan as defined in this section, and shall include a sickness and
15 accident insurance company, a health maintenance organization, a
16 preferred provider organization or any similar entity, or any other
17 entity providing a plan of health insurance or health benefits;

18 3. "Oklahoma health care programs" means state-purchased health
19 care or state-subsidized health care purchased with or supported by
20 state and federal funds through the Oklahoma Health Care Authority,
21 the Department of Mental Health and Substance Abuse Services, the
22 State Department of Health, the Department of Human Services, the
23 Department of Corrections, the Department of Veterans Affairs, other
24 state agencies administering state-purchased or state-subsidized

1 health care programs, the Oklahoma State Regents for Higher
2 Education, the State Board of Education, and local school districts;

3 4. "School district" or "district" has the same meaning as
4 provide for in Section 1-108 of Title 70 of the Oklahoma Statutes;

5 5. "Telehealth" means technology-enabled mental health and care
6 management and delivery systems that extend capacity and access,
7 which includes:

8 a. synchronous mechanisms, which may include live
9 audiovisual interaction between a patient and a mental
10 health care professional,

11 b. asynchronous mechanisms, which include store and
12 forward transfers, online exchange of mental health
13 information between a patient and a mental health care
14 professional, but shall not include the use of
15 automated text messages or automated mobile
16 applications that serve as the sole interaction
17 between a patient and a mental health care
18 professional,

19 c. remote patient monitoring, and

20 d. other electronic means that support clinical mental
21 health care, professional consultation, mental health-
22 related education, and mental health care
23 administration.

1 6. "Telehealth provider" means a person that makes available a
2 technological platform for the provision of mental health care
3 services through telehealth and employs the mental health care
4 providers who utilize the platform.

5 C. The Department shall consider responses to the request for
6 proposals only from applicants that:

7 1. Have experience providing mental health care through
8 telehealth in educational settings, and at the time of application
9 are providing access to mental health care through telehealth to at
10 least one school district with a student population of fifty
11 thousand (50,000) or more students;

12 2. Have experience in providing culturally competent pediatric
13 mental health care;

14 3. Demonstrate the ability to provide high-quality mental
15 health services and care coordination through telehealth;

16 4. Demonstrate the ability to employ an adequate number of
17 Oklahoma-licensed mental health care providers to meet the market
18 demand for services under the program;

19 5. Have a technology platform for the provision and
20 coordination of mental health care services that will be made
21 available to participating school districts;

22 6. Can bill health carriers and the State Department of
23 Education for provided services, including services provided to
24 individuals enrolled in Oklahoma health care programs; and

1 7. Agree to provide mental health care services delivered
2 through telehealth free of charge to students who are uninsured, and
3 to waive or reimburse students for all cost-sharing incurred for
4 mental health care services received through the program.

5 D. The Department shall ensure that the contact between the
6 Department and the selected telehealth provider requires the
7 telehealth provider to:

8 1. Provide mental health care services delivered through
9 telehealth free of charge to students who are uninsured;

10 2. Treat as if uninsured any minor who gives effective consent
11 to mental health treatment and who would otherwise be subject to
12 Section 2603 of Title 63 of the Oklahoma Statutes;

13 3. Waive or reimburse students or their families for all cost-
14 sharing incurred for mental health care services received through
15 the program;

16 4. Provide the equipment, the telehealth platform, and access
17 to the mental health care providers employed by the telehealth
18 provider at no cost to the school district; and

19 5. Allow any school district to elect to participate in the
20 program by entering into a contract with the telehealth provider.

21 E. 1. School districts electing to participate in the pilot
22 program shall:

23 a. be party to a valid contract with the selected
24 telehealth provider,

- b. provide mental health care services through the program at no cost to all students enrolled in the district, and
- c. cooperate with the Department and telehealth provider to fulfill any reporting requirements under this section.

7 2. School districts participating in the pilot program shall
8 not use the mental health care services made available under this
9 section to supplant the daily student support provided in the school
10 by educational student service providers, including but not limited
11 to licensed school nurses, educational psychologists, school social
12 workers, and school counselors.

13 F. Funds acquired or encumbered for the school-based telehealth
14 pilot program as described in this section shall only be used for
15 the following purposes:

16 1. To pay the telehealth provider an annual capitation rate of
17 up to Twenty-two Dollars (\$22.00) per student enrolled in a
18 participating school district;

19 2. To reimburse the telehealth provider for the one-time fixed
20 costs for establishing the school-based telehealth pilot program;
21 and

22 | 3. To evaluate the pilot program.

G. 1. The Department, in cooperation with participating school districts, shall evaluate the extent to which the pilot program

1 increases student access to mental health care services. By January
2 15, 2027, the Department shall report the results of the evaluation
3 to the legislative committees with jurisdiction over education
4 finance and policy and health finance and policy.

5 2. School districts shall provide the Department with
6 information the Department deems necessary to monitor the districts'
7 compliance with paragraph 2 of subsection E of this section. The
8 Department shall include in the Department's report to the
9 Legislature the Department's conclusions regarding any evidence that
10 participating school districts are violating paragraph 2 of
11 subsection E of this section.

12 H. The Department shall seek funding from sources as may be
13 available and authorized in order to implement the provisions of
14 this section. The Department shall not expend an amount in excess
15 of the total funds acquired by the Department pursuant to the
16 provisions of this subsection.

17 SECTION 2. This act shall become effective July 1, 2025.

18 SECTION 3. It being immediately necessary for the preservation
19 of the public peace, health or safety, an emergency is hereby
20 declared to exist, by reason whereof this act shall take effect and
21 be in full force from and after its passage and approval.

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23 60-1-10345 SW 01/12/25
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