

MINUTES
SENATE EDUCATION COMMITTEE

DATE: Monday, March 18, 2024

TIME: 2:00 P.M.

PLACE: Room WW55

MEMBERS PRESENT: Chairman Lent, Vice Chairman Toews, Senators Den Hartog, Nichols, Carlson, Herndon, Lenney, Ward-Engelking, and Semmelroth

ABSENT/ EXCUSED: None

NOTE: The sign-in sheet, testimonies, and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

CONVENED: **Chairman Lent** called the meeting of the Senate Education Committee (Committee) to order at 2:04 p.m.

H 684 **BEHAVIORAL HEALTH - Adds to existing law to allow for telehealth behavioral health services on public school premises. Representative Healey** explained that **H 684** provided increased access to behavioral health in public schools and charter schools. It allowed for students to access behavioral health specialists through telehealth appointments while on school premises. She stated that the appointments were with professionals licensed to practice in the State of Idaho, and that the appointments were safe, confidential, and followed all Health Insurance Portability and Accountability Act (HIPPA) guidelines. Parents had the opportunity to attend the appointments with their children either online or at the school location. **Representative Healey** explained the need for behavioral health specialists across Idaho and stated that there were many students who did not have access to behavioral health services. She pointed out that telehealth appointments helped students to lose less school time and that parents lost less work time. She stated that **H 684** did not have a fiscal impact.

DISCUSSION: **Senator Herndon** asked whether the use of school rooms for telehealth appointments and staff time to interact with scheduling was considered fiscal impact. **Representative Healey** replied that it was optional for schools to allow students to have telehealth appointments. She said the bill did not create a burden on schools because the schools used available rooms. She added that the impact on staff was also minimal.

Senator Toews asked if behavioral health appointments or in-person behavioral health appointments occurred currently in some districts. **Representative Healey** replied that behavioral health appointments did occur. Some larger school districts had roaming counselors who saw children in face-to-face appointments. There were no telehealth appointments currently. **Senator Toews** asked if there was anything that prevented telehealth appointments to occur. **Representative Healey** responded that school districts did not feel they had the protection to allow telehealth appointments on school premises currently.

Senator Lenney and **Senator Den Hartog** asked questions regarding liability verbiage in the **H 684**. **Representative Healey** clarified.

Senator Nichols asked about parental involvement in telehealth appointments. She also asked about student consent forms and whether they transferred with a student to a different school. **Representative Healey** said that parents were involved in the appointments if they wished to be. Parents had the option to join the online appointment from their location or to participate in person with the child. Regarding school consent forms, **Representative Healey** said it was important for each school to be able to collect and manage their own consent forms. She also explained that it was up to the medical provider to have the proper forms for treatment. The providers followed all documentation requirements that in-person providers did.

Senator Carlson asked if there was data from other states which had allowed telehealth appointments. **Representative Healey** did not have specific data, but said from her research the access to telehealth appointments in other states was well received and utilized. She noted that there appeared to be no increase in bullying related to students who participated in telehealth appointments on school premises.

Senator Ward-Engelking commented that students missed less school with telehealth appointments and that the stigma of leaving school for appointments was lessened with telehealth appointments.

Senator Lent spoke about his daughter who was a behavioral health specialist in Idaho schools. She shared with him the need for more behavioral health specialists. He expressed support for the legislation to meet student needs.

TESTIMONY: **Nicole Trakel** testified in opposition to **H 684**. **Ms. Trakel** stated that mental health appointments should take place outside of school. They were a burden placed on schools. She said that schools were required to provide the necessary technology for telehealth appointments and that this constituted an expense on schools. She said that school buildings were for the purpose of education and for services required by and provided by the school.

MOTION: **Senator Ward-Engelking** moved to send **H 684** to the floor with a **do pass** recommendation. **Chairman Lent** seconded the motion.

SUBSTITUTE MOTION: **Senator Herndon** moved to table **H 684**. **Senator Nichols** seconded the motion.

DISCUSSION: **Senator Herndon** expressed concerns about language related to protected health information and the duty to report a threat of harm in **H 684**.

Senator Ward-Engelking asked if Senator Herndon would entertain a substitute motion to possibly hold **H 684** in Committee or to send it to the amending order. **Senator Herndon** responded that he was also concerned about the fiscal impact on schools for the use of school property, technology, and staff to facilitate telehealth appointments. He stated that he had too many concerns about **H 684** and that it was too late in the session to address changes. He stood by his substitute motion.

SUBSTITUTE MOTION ROLL CALL VOTE: **Senators Nichols, Carlson, Herndon, Lenney, and Vice Chairman Toews** voted aye. **Senators Den Hartog, Ward-Engelking, Semmelroth, and Chairman Lent** voted nay. The motion carried.

PRESENTATION: **Page Farewell - Talmage Cardon**. **Chairman Lent** recognized Senate Page, Talmage Cardon, for his service to the Committee in the second half of the legislative session. **Mr. Cardon** reflected on his time in the Senate. He shared about what he learned and about his future plans. **Senator Lent** presented Mr. Cardon with a gift of appreciation.

ADJOURNED: There being no further business at this time, **Chairman Lent** adjourned the meeting at 2:54 p.m.

Senator Lent
Chair

Lisa Stein
Secretary