

1 ENGROSSED HOUSE AMENDMENT  
TO  
2 ENGROSSED SENATE BILL NO. 626 By: Bullard of the Senate  
3 and  
4 Randleman of the House  
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6  
7 An Act relating to students; allowing the parent or  
8 legal guardian of a student to disclose to a school  
9 whether the student has received certain mental  
10 health services from certain facility within certain  
11 time period; defining term; requiring designated  
12 school personnel to hold certain meeting within  
13 certain time period after disclosure to determine  
14 whether accommodations are needed; requiring certain  
15 disclosure to comply with certain acts; providing for  
16 promulgation of rules; amending 43A O.S. 2021,  
17 Section 5-513, which relates to discharge plans of  
18 certain minors; requiring certain notification upon  
19 discharge of minor from certain treatment; providing  
20 for codification; providing an effective date; and  
21 declaring an emergency.  
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25 AMENDMENT NO. 1. Page 2, line 5, insert after "personnel" the  
26 following ", which may include members of the  
27 individualized education program (IEP) team,"  
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29 Page 2, line 9, delete "individualized education  
30 program (IEP)" and insert the acronym "IEP"

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Passed the House of Representatives the 28th day of April, 2022.

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Presiding Officer of the House of  
Representatives

Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 2022.

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Presiding Officer of the Senate

1 ENGROSSED SENATE  
2 BILL NO. 626

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15 promulgation of rules; amending 43A O.S. 2021,  
16 Section 5-513, which relates to discharge plans of  
17 certain minors; requiring certain notification upon  
18 discharge of minor from certain treatment; providing  
19 for codification; providing an effective date; and  
20 declaring an emergency.

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

22 SECTION 1. NEW LAW A new section of law to be codified  
23 in the Oklahoma Statutes as Section 3-169 of Title 70, unless there  
24 is created a duplication in numbering, reads as follows:

A. Beginning with the 2023-2024 school year, prior to  
enrollment the parent or legal guardian of a student may disclose to  
the student's resident district, as determined by Section 1-113 of  
Title 70 of the Oklahoma Statutes, if the student has received  
inpatient or emergency outpatient mental health services from a  
mental health facility in the previous twenty-four (24) months. For

1 the purposes of this section, "mental health facility" shall have  
2 the same meaning as Section 5-502 of Title 43A of the Oklahoma  
3 Statutes.

4 B. If a disclosure provided for in subsection A of this section  
5 occurs, designated school personnel shall meet with the parent or  
6 legal guardian of the student and representatives of the mental  
7 health facility prior to enrollment to determine whether the student  
8 is in need of any accommodations including but not limited to an  
9 individualized education program (IEP) in accordance with the  
10 Individuals with Disabilities Education Act (IDEA) or a Section 504  
11 Plan as defined by the Rehabilitation Act of 1973. The meeting  
12 required by this section may take place in person, via  
13 teleconference, or via videoconference.

14 C. The disclosure and subsequent handling of personal health  
15 information and related student education records pursuant to this  
16 section shall comply with the Family Educational Rights and Privacy  
17 Act of 1974 (FERPA) and the Health Insurance Portability and  
18 Accountability Act of 1996 (HIPAA).

19 D. The State Board of Education shall promulgate rules to  
20 implement the provisions of this section.

21 SECTION 2. AMENDATORY 43A O.S. 2021, Section 5-513, is  
22 amended to read as follows:

23 Section 5-513. A. Within ten (10) days after the admission of  
24 a minor for inpatient treatment, the person in charge of the

1 facility in which the minor is being treated shall ensure that an  
2 individualized treatment plan has been prepared by the person  
3 responsible for the treatment of the minor. The minor shall be  
4 involved in the preparation of the treatment plan to the maximum  
5 extent consistent with the ability of the minor to understand and  
6 participate. The parent or legal custodian of the minor or, if the  
7 minor is in the custody of the Department of Human Services or the  
8 Office of Juvenile Affairs, the designated representative of the  
9 applicable agency, shall be involved to the maximum extent  
10 consistent with the treatment needs of the minor.

11 B. The facility shall discharge the minor when appropriate  
12 facility medical staff determine the minor no longer meets the  
13 admission or commitment criteria. If not previously discharged, a  
14 minor committed by a court for inpatient treatment shall be  
15 discharged upon the expiration of a court order committing the minor  
16 for inpatient treatment or an order of the court directing the  
17 discharge of the minor.

18 C. Prior to the discharge of the minor from inpatient  
19 treatment, a discharge plan for the minor shall be prepared and  
20 explained to the minor and the parent or the person responsible for  
21 the supervision of the case. The plan shall include, but not be  
22 limited to:  
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1           1. The services required by the minor in the community to meet  
2 the needs of the minor for treatment, education, housing, and  
3 physical care and safety;

4           2. Identification of the public or private agencies that will  
5 be involved in providing treatment and support to the minor;

6           3. Information regarding medication which should be prescribed  
7 to the minor; and

8           4. An appointment for follow-up outpatient treatment and  
9 medication management.

10          D. Upon the discharge of the minor from inpatient treatment, a  
11 designee of the facility shall inform the parent or person  
12 responsible for the supervision of the case of the importance of  
13 disclosing the mental health needs of the minor to the minor's  
14 resident school district as provided for in Section 1 of this act  
15 including disclosure in whole or in part of the minor's discharge  
16 plan prepared pursuant to subsection C of this section as  
17 appropriate and consistent with applicable law.

18          SECTION 3. This act shall become effective July 1, 2022.

19          SECTION 4. It being immediately necessary for the preservation  
20 of the public peace, health, or safety, an emergency is hereby  
21 declared to exist, by reason whereof this act shall take effect and  
22 be in full force from and after its passage and approval.

1 Passed the Senate the 9th day of March, 2022.

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Presiding Officer of the Senate

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5 Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_,  
6 2022.

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Presiding Officer of the House  
of Representatives

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