

COMMITTEE AMENDMENT

HOUSE OF REPRESENTATIVES

State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB3251 _____
Of the printed Bill
Page _____ Section _____ Lines _____
Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by
inserting in lieu thereof the following language:

AMEND TITLE TO CONFORM TO AMENDMENTS

Amendment submitted by: Randy Randleman

Adopted: _____

Reading Clerk

STATE OF OKLAHOMA

2nd Session of the 58th Legislature (2022)

PROPOSED COMMITTEE
SUBSTITUTE
FOR
HOUSE BILL NO. 3251

By: Randleman

PROPOSED COMMITTEE SUBSTITUTE

An Act relating to students; authorizing certain disclosure of inpatient or emergency outpatient mental health services; providing for timing of disclosure; defining term; requiring meeting to determine if the student needs any accommodations; describing how meeting may be conducted; requiring compliance with certain federal laws; directing State Board of Education to promulgate rules; providing for codification; providing an effective date; and declaring an emergency.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 24-100.9 of Title 70, unless there is created a duplication in numbering, reads as follows:

A. Beginning with the 2022-2023 school year, 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. Any disclosure shall occur

1 prior to the student enrolling in or transferring to the school
2 district or after the student enrolls in or attends classes in the
3 school district. As used in this section, "facility" shall have the
4 same meaning as defined in Section 1-103 of Title 43A of the
5 Oklahoma Statutes.

6 B. Within ten (10) days of a disclosure, designated school
7 personnel shall meet with the parent or legal guardian of the
8 student to determine whether the student is in need of any
9 accommodations including, but not limited to, an individualized
10 education program (IEP) in accordance with the Individuals with
11 Disabilities Education Act (IDEA) or a Section 504 Plan as defined
12 by the Rehabilitation Act of 1973. The meeting required by this
13 subsection may take place in person, via teleconference, or via
14 videoconference.

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

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

22 SECTION 2. This act shall become effective July 1, 2022.

23 SECTION 3. It being immediately necessary for the preservation
24 of the public peace, health or safety, an emergency is hereby

1 declared to exist, by reason whereof this act shall take effect and
2 be in full force from and after its passage and approval.

3

4 58-2-10434 EK 02/14/22

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24