

Department of Legislative Services  
Maryland General Assembly  
2016 Session

FISCAL AND POLICY NOTE  
First Reader

House Bill 1437 (Delegate Angel)

Health and Government Operations and  
Ways and Means

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Education - Individualized Counseling Services - Requirements

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This bill allows public school guidance counselors to assist students in arranging individualized counseling services with a licensed clinical professional counselor (LCPC) during school hours and in school facilities, under specified conditions. The bill also requires a health insurer, Medicaid managed care provider, nonprofit health service plan, or health maintenance organization (collectively known as carriers) to reimburse an LCPC who provides services at a school-based health center or a public school for covered services specified under the bill.

The bill takes effect July 1, 2016, and applies to all policies, contracts, and health benefit plans issued, delivered, or renewed in the State on or after October 1, 2016.

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Fiscal Summary

**State Effect:** Minimal increase in special fund revenues for the Maryland Insurance Administration (MIA) from the \$125 rate and form filing fee in FY 2017 only. Review of filings can likely be handled with existing MIA resources.

**Local Effect:** No fiscal effect, but there may be an operational effect in some schools. Local boards of education can provide the necessary assistance and referral services with existing guidance counseling resources. Some overcrowded public schools may encounter difficulties finding available space for on-site individualized counseling for students. No effect on local revenues.

**Small Business Effect:** None.

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## Analysis

**Bill Summary:** School-based personnel in public elementary and secondary schools may refer a student to the school guidance counselor or the school counseling program to determine whether the student needs individualized counseling services. The guidance counselor *must* assist any student referred to them for this purpose in obtaining a professional determination regarding their need for individualized counseling services.

If a student is determined to need individualized counseling services, the guidance counselor or school counseling program must either:

- obtain permission from the parent or guardian to allow school-based personnel to speak with outside health care providers on behalf of the student and arrange individualized counseling services with an LCPC through a school-based health center or at the public school; or
- assist the parent or guardian in finding and arranging individual counseling services with an LCPC.

Each public school must (1) provide space in the building for a student and an LCPC to meet privately during school hours for individualized counseling services and (2) work with the student and LCPC to schedule individualized counseling services during school hours with minimal disruption to the student's academic schedule.

**Current Law:** With the assistance of local health departments, each local board of education must provide adequate school health services, instruction in health education, and a healthful school environment.

Title 15, Subtitle 7 of the Insurance Article requires carriers to reimburse specified health care providers, including LCPCs, licensed certified social workers, and psychologists for specified covered services.

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## Additional Information

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Maryland State Department of Education, Department of Health and Mental Hygiene, Maryland Insurance Administration, Department of Legislative Services

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