

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 913 Session of 2024

INTRODUCED BY LANGERHOLC, BAKER, ARGALL, MARTIN, DUSH, PHILLIPS-HILL, MASTRIANO, ROTHMAN, J. WARD, HUTCHINSON AND GEBHARD, APRIL 22, 2024

SENATOR ARGALL, EDUCATION, AS AMENDED, JUNE 12, 2024

AN ACT

1 Providing for parental consent for virtual mental health
2 services provided by a school entity.

3 The General Assembly of the Commonwealth of Pennsylvania
4 hereby enacts as follows:

5 Section 1. Short title.

6 This act shall be known and may be cited as the Virtual
7 Mental Health IN SCHOOLS Act. <--

8 Section 2. Definitions.

9 The following words and phrases when used in this act shall
10 have the meanings given to them in this section unless the
11 context clearly indicates otherwise:

12 "School entity." A public school, including a charter school
13 or cyber charter school, private school, nonpublic school,
14 intermediate unit or area career and technical school operating
15 within this Commonwealth.

16 "Virtual mental health services." Online support, ONLINE <--
17 PEER SUPPORT COMMUNITY or counseling provided by an individual,

1 who is not a licensed mental health professional in this
2 Commonwealth, or application. ~~The presence or ability of one~~ <--
3 ~~individual not licensed in this Commonwealth to engage with~~
4 ~~students shall meet the requirements of this definition.~~

5 Section 3. Parental consent to virtual mental health services
6 provided by a school entity.

7 (a) Application.--This act applies to all virtual mental
8 health services provided by or in coordination with a school
9 entity.

10 (b) Form requirements.--The school entity shall create a
11 form for obtaining virtual mental health services, which shall
12 contain the following:

13 (1) A summary and scope of the virtual mental health
14 services available.

15 (2) An area for parents or guardians to provide consent.

16 (3) Any other information the school entity deems
17 necessary.

18 (c) Obtaining consent.--Notwithstanding SECTION 1.1(2) OF <--
19 THE ACT OF FEBRUARY 13, 1970 (P.L.19, NO.10), ENTITLED "AN ACT
20 ENABLING CERTAIN MINORS TO CONSENT TO MEDICAL, DENTAL AND HEALTH
21 SERVICES, DECLARING CONSENT UNNECESSARY UNDER CERTAIN
22 CIRCUMSTANCES," OR any other provision of law OR REGULATION, a <--
23 school entity providing or coordinating virtual mental health
24 services shall, ~~no later than 14 days after the beginning of the~~ <--
25 ~~school year,~~ ANNUALLY obtain a completed form with the consent <--
26 of the parent or guardian of a student who is under 18 years of
27 age prior to providing or coordinating virtual mental health
28 services to the student.

29 (d) Consent required.--A school entity may not provide or
30 coordinate any virtual mental health services for a student

1 whose parent or guardian has not provided consent under this
2 section.

3 Section 4. Effective date.

4 This act shall take effect on July 1, 2024, or immediately,
5 whichever is later.