

School-Based Health Centers

The District may, if it identifies the need, design a model for the delivery of cooperative health-care programs for students and their families and may compete for grants to provide such programs. The model program may provide for delivery of conventional health services and disease prevention of emerging health threats that are specific to the District.

On the recommendation of an advisory council, the District may establish a school-based health center at one or more campuses in the District to meet the health-care needs of students and their families. The District may contract with a person to provide services at a school-based health center.

Education Code 38.051

Programs Goals

All health-care programs should be designed to meet the following goals:

1. Reducing student absenteeism;
2. Increasing a student's ability to meet the student's academic potential; and
3. Stabilizing the physical well-being of a student.

Education Code 38.063(c)

Consent Required

A school-based health center may provide services to a student only if the District or the provider with whom the District contracts obtains the written consent of the student's parent or guardian or another person having legal control of the student. The student's parent or guardian or another person having legal control of the student may give consent to receive ongoing services or may limit consent to one or more services provided on a single occasion. The consent form must list every service the center delivers in a format that complies with all applicable state and federal laws and allows a person to consent to one or more categories of services.

Education Code 38.053

Permissible Services

The permissible categories of services are:

1. Family and home support;
2. Health care, including immunizations;
3. Dental health care;
4. Health education; and
5. Preventive health strategies.

Education Code 38.054

WELLNESS AND HEALTH SERVICES
SCHOOL-BASED HEALTH CENTERS

FFAE
(LEGAL)

Services Not
Permitted

Reproductive services, counseling, or referrals may not be provided through a school-based health center using grant funds awarded under Education Code Chapter 38, Subchapter B. Any service provided using grant funds must be provided by an appropriate professional who is properly licensed, certified, or otherwise authorized under state law to provide the service. *Education Code 38.055–.056*

The staff of a school-based health center and the person who consents to treatment shall jointly identify any health-related concerns of a student that may be interfering with the student's well-being or ability to succeed in school. If it is determined that a student should be referred for mental health services, the staff of the center shall notify verbally and in writing the person who has authority to consent, and the referral shall not be made unless the person provides written consent for the service to be provided and specific written consent for each treatment occasion. *Education Code 38.057*

Advisory Council

The Board may establish and appoint members to a local health education and health-care advisory council to make recommendations on the establishment of school-based health centers and to assist the District in ensuring that local community values are reflected in the operation of each center and in the provision of health education. A majority of the members must be parents of students enrolled in the District. In addition to the appointees who are parents, the Board shall also appoint at least one teacher, one administrator, one licensed health-care professional, one member of the clergy, one person from law enforcement, one member of the business community, one senior citizen, and one student. *Education Code 38.058*

The District may seek assistance in establishing and operating a school-based health center from any public agency in the community. *Education Code 38.059*

If the District is located in a county with a population not greater than 50,000 or that has been designated as a health professional shortage area, a medically underserved area, or a medically underserved community, the District shall make a good-faith effort to identify and coordinate with existing providers. *Education Code 38.060*

Primary Care
Physician

If a person receiving a medical service from a school-based health center has a primary care physician, the staff of the center shall provide notice of the service to that physician. Before delivering service to a person with a primary care physician under the state Medicaid program, a state children's health plan program, or a private health insurance or health benefit plan, the staff of the center shall notify that physician to share medical information and obtain

authorization for delivering the medical service. *Education Code 38.061*

Funding

The District shall comply with the funding requirements and limitations set out in Education Code 38.062–.063 and with rules adopted by the commissioner of state health services. *Education Code 38.062–.063*

Standards for State-Funded Centers

If the District receives a grant from the Texas Department of State Health Services (TDSHS) to assist with the costs of operating school-based health centers, it must comply with TDSHS standards for funded centers. *25 TAC 37.531, .538*