

1.1 ..... moves to amend H.F. No. 3542 as follows:

1.2 Page 2, delete section 2 and insert:

1.3 "Sec. 2. [121A.216] ACCESS TO SPACE FOR MENTAL HEALTH CARE  
1.4 THROUGH TELEHEALTH.

1.5 Subdivision 1. Access to space. (a) To the extent space is available, a school district or  
1.6 charter school must provide an enrolled secondary school student with access during regular  
1.7 school hours, and to the extent staff is available, before or after the school day on days when  
1.8 students receive instruction at school, to space at the school site that a student may use to  
1.9 receive mental health care through telehealth from a student's licensed mental health provider.  
1.10 A secondary school must develop a plan with procedures to receive requests for access to  
1.11 the space. A school must make the space available beginning October 1, 2024.

1.12 (b) The space must provide a student privacy to receive mental health care.

1.13 (c) A student may use a school-issued device to receive mental health care through  
1.14 telehealth if such use is consistent with the district or school policy governing acceptable  
1.15 use of the school-issued device.

1.16 (d) A school may require a student requesting access to space under this section to submit  
1.17 to the school, a signed and dated consent from the student's parent or guardian, or from the  
1.18 student if the student is age 16 or older, authorizing the student's licensed mental health  
1.19 provider to release information from the student's health record that is requested by the  
1.20 school to confirm the student is currently receiving mental health care from the provider.  
1.21 Such a consent is valid for the school year in which it is submitted.

1.22 Subd. 2. Immunity. Notwithstanding section 466.02, a school district or charter school  
1.23 is immune from liability for any tort claim based upon an act or omission of an officer or

- 2.1 employee in the execution of this statute, unless the claim is based upon recklessness, gross
- 2.2 negligence, or intentional misconduct.
- 2.3 **EFFECTIVE DATE.** This section is effective for the 2024-2025 school year and later."