

514C.35 Behavioral health services provided in a school — coverage.

1. Notwithstanding the uniformity of treatment requirements of [section 514C.6](#), a policy, contract, or plan providing for third-party payment or prepayment of health or medical expenses shall not deny coverage or payment for behavioral health services, including behavioral health services provided via telehealth, solely because the services are delivered in a school.

2. Nothing in [this section](#) shall be interpreted to do any of the following:

a. Require an insurer to pay for behavioral health services that are otherwise excluded from coverage under a policy, contract, or plan.

b. Require an insurer to pay for behavioral health services that are provided by an individual employed by or under contract with a school district or an educational service agency in a regular full-time or part-time position, or any other party that has not entered into a provider agreement with the insurer.

c. Prevent application of any other provision of a policy, contract, or plan.

3. [This section](#) applies to third-party payment provider policies, contracts, or plans delivered, issued for delivery, continued, or renewed in this state on or after January 1, 2021, and to claims for reimbursement under such policies, contracts, or plans incurred on or after January 1, 2021.

4. For the purposes of [this section](#):

a. “*Behavioral health services*” means services provided by a health care professional operating within the scope of the health care professional’s practice which address mental, emotional, medical, or behavioral conditions, illnesses, diseases, or problems.

b. “*Educational service agency*” means a governmental agency or government entity which is established and operated exclusively for the purpose of providing educational services to one or more educational institutions.

c. “*Health care professional*” means a physician or other health care practitioner licensed, accredited, registered, or certified to perform specified health care services consistent with state law.

d. “*School*” means all of the following:

(1) Any school, other than a public school, that is accredited pursuant to [section 256.11](#) for any and all levels for grades one through twelve.

(2) Any school directly supported in whole or in part by taxation.

(3) An area education agency established pursuant to [chapter 273](#).

e. “*School district*” means a school district described in [chapter 274](#).

f. “*Telehealth*” means the same as defined in [section 514C.34](#).

[2020 Acts, ch 1105, §5; 2020 Acts, ch 1121, §66, 70](#)

NEW section