Establishment of provider-patient relationship for telehealth in school setting.

14.23(1) A school district, accredited nonpublic school, or AEA may provide access to behavioral health services via telehealth on school/AEA premises.

14.23(2) If a mental health professional provides behavioral health services via telehealth on school/AEA premises, the mental health professional shall first establish a valid provider-patient relationship. The provider-patient relationship is established when:
   a. The student, with the consent of the student’s parent or guardian when the student has not yet reached the age of majority, seeks help from a mental health professional;
   b. The mental health professional agrees to provide treatment of the student; and
   c. The student’s parent or guardian agrees to have the student treated by the mental health professional.

14.23(3) A valid provider-patient relationship may be established through any of the following means:
   a. An in-person medical interview and physical examination conducted under the standard of care required for an in-person encounter;
   b. Consultation with a primary care provider who has an established relationship with the patient and who agrees to participate in or supervise the patient’s care; or
   c. Use of interactive audio and video telehealth, if:
      (1) The standard of care does not require an in-person encounter, in accordance with evidence-based standards of practice and telehealth practice guidelines that address the clinical and technological aspects of telehealth; or
      (2) The student’s parent or guardian is present.

14.23(4) If a provider-patient relationship is established and the student has not yet reached the age of majority, parent or guardian consent shall be obtained prior to the student receiving behavioral health services via telehealth in a school or AEA setting and shall be required each academic year that the student receives telehealth services.

14.23(5) The school district shall maintain any consent form completed by a parent or guardian.

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