

ASSEMBLY EDUCATION COMMITTEE

STATEMENT TO

ASSEMBLY, No. 4437

with committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 14, 2020

The Assembly Education Committee reports favorably Assembly Bill No. 4437 with committee amendments.

As amended, this bill would permit a student assistance coordinator, school counselor, or school psychologist or other mental health professional working in a school district to refer, or help facilitate the referral of, a student to a private individual licensed to provide professional counseling, for mental health assessments and services. An individual licensed to provide professional counseling would include, but not be limited to, a psychiatrist, certified social worker, licensed clinical social worker, licensed social worker, licensed marriage and family therapist, certified psychoanalyst, or licensed psychologist. A student assistance coordinator, school counselor, or school psychologist or other mental health professional working in a school district will not be able to refer a student to a private individual licensed to provide professional counseling with whom the district employee, or the employee's immediate family, or the employee in combination with his or her family has a significant beneficial interest.

In the case of a student who is not legally permitted to consent on his own to the assessments and services, the student's parent or guardian will be notified of the referral or the facilitation of the referral, and the parent or guardian will be required to consent prior to the provision of any assessment or service by the licensed private individual.

In the case of a referral or the facilitation of a referral of a student to a private individual licensed to provide professional counseling, the bill provides that neither the school district nor the individual making the referral or facilitating the referral will be required to bear the cost of the assessments and services provided to the student.

This bill would not limit a school district's authority to provide mental health assessments and services to students prior to or after a referral or the facilitation of a referral has been made to a private individual licensed to provide professional counseling.

COMMITTEE AMENDMENTS:

The committee amended the bill to:

- provide that a school counselor, in addition to a student assistance coordinator or school psychologist or other mental health professional working in a school district, may refer or help facilitate the referral of a student to a private individual licensed to provide professional counseling for mental health assessments and services;
- remove a provision of the bill which provided that, after consultation with a student assistance coordinator or a school psychologist or other mental health professional working in the school district, a principal or school counselor may refer, or help facilitate the referral of, a student to a private individual licensed to provide professional counseling for mental health assessments and services;
- provide that a student assistance coordinator, school counselor, or school psychologist or other mental health professional working in a school district will not refer a student to a private individual licensed to provide professional counseling with whom the school district employee, or the employee's immediate family, or the employee in combination with his or her immediate family has a significant beneficial interest; and
- clarify that the bill would not be construed to limit a school district's authority to provide mental health assessments and services to a student prior to or after a referral or the facilitation of a referral has been made to a private individual licensed to provide professional counseling.