

ASSEMBLY, No. 4086

STATE OF NEW JERSEY 220th LEGISLATURE

INTRODUCED MAY 26, 2022

Sponsored by:

Assemblywoman PAMELA R. LAMPITT

District 6 (Burlington and Camden)

Assemblyman LOUIS D. GREENWALD

District 6 (Burlington and Camden)

Assemblywoman SADAF F. JAFFER

District 16 (Hunterdon, Mercer, Middlesex and Somerset)

Co-Sponsored by:

Assemblyman Verrelli, Assemblywomen Jasey, McKnight, Assemblymen Stanley, Wimberly, Mejia and Assemblywoman Lopez

SYNOPSIS

Permits certain mental health professionals working in school districts to refer or help facilitate referral of students to private professional counselors.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/16/2022)

1 AN ACT concerning mental health services for public school
2 students and supplementing chapter 40 of Title 18A of the New
3 Jersey Statutes.

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5 **BE IT ENACTED** *by the Senate and General Assembly of the State*
6 *of New Jersey:*

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8 1. A student assistance coordinator, school counselor, or school
9 psychologist or other mental health professional working in a school
10 district may refer, or help facilitate the referral of, a student to a
11 private individual licensed to provide professional counseling under
12 Title 45 of the Revised Statutes, for mental health assessments and
13 services. A student assistance coordinator, school counselor, or
14 school psychologist or other mental health professional working in
15 a school district shall not refer a student to a private individual
16 licensed to provide professional counseling if the student assistance
17 coordinator, school counselor, or school psychologist or other
18 mental health professional, or that individual's immediate family, or
19 that individual in combination with the individual's immediate
20 family has a significant beneficial interest in or with the private
21 individual licensed to provide professional counseling. If a student
22 is not legally permitted to consent on his own to the mental health
23 assessments and services, the student's parent or guardian shall be
24 notified of, and consent to, the referral or the facilitation of a referral
25 prior to the provision of any assessment or service by the licensed
26 private individual.

27 In the case of a referral or a facilitation of a referral pursuant to this
28 section, neither the school district nor the individual referring or
29 facilitating the referral shall bear the cost of the assessments or
30 services provided to the student.

31 This section shall not be construed to limit a school district's
32 authority to provide mental health assessments and services to a
33 student prior to or after a referral or the facilitation of a referral has
34 been made to a private individual licensed to provide professional
35 counseling under Title 45 of the Revised Statutes.

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37 2. This act shall take effect immediately.

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STATEMENT

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42 This bill would permit a student assistance coordinator, school
43 counselor, or school psychologist or other mental health
44 professional working in a school district to refer, or help facilitate
45 the referral of, a student to a private individual licensed to provide
46 professional counseling, for mental health assessments and services.
47 An individual licensed to provide professional counseling would
48 include, but not be limited to, a psychiatrist, certified social worker,

1 licensed clinical social worker, licensed social worker, licensed
2 marriage and family therapist, certified psychoanalyst, or licensed
3 psychologist. A student assistance coordinator, school counselor,
4 or school psychologist or other mental health professional working
5 in a school district will not be able to refer a student to a private
6 individual licensed to provide professional counseling with whom
7 the district employee, or the employee's immediate family, or the
8 employee in combination with his or her family has a significant
9 beneficial interest.

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

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

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