

CHAPTER 225

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

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

C.18A:40-5.9 Referral to professional counseling for students.

1. A student assistance coordinator, school counselor, or school psychologist or other mental health professional working in a school district may refer, or help facilitate the referral of, a student to an individual or practice licensed to provide professional counseling under Title 45 of the Revised Statutes, for mental health assessments and services. A student assistance coordinator, school counselor, or school psychologist or other mental health professional working in a school district shall not refer a student to an individual or practice licensed to provide professional counseling if the student assistance coordinator, school counselor, or school psychologist or other mental health professional, or that individual's immediate family, or that individual in combination with the individual's immediate family has a significant beneficial interest in or with the individual or practice licensed to provide professional counseling. If a student is not legally permitted to consent to the mental health assessments and services, the student's parent or guardian shall be notified of, and consent to, the referral or the facilitation of a referral prior to the provision of any assessment or service by the licensed individual or practice. A licensed individual or practice shall be required to obtain consent from a student, or from the parent or guardian in the case of a student who is not legally permitted to consent, before providing mental health assessments or services.

In the case of a referral or a facilitation of a referral pursuant to this section, neither the school district nor the individual referring or facilitating the referral shall bear the cost of the assessments or services provided to the student, unless otherwise provided by law.

This section shall 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 an individual or practice licensed to provide professional counseling under Title 45 of the Revised Statutes.

2. This act shall take effect immediately.

Approved January 12, 2026.