

JAN 21 2026

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# A BILL FOR AN ACT

RELATING TO STUDENT ACCESS TO TELEHEALTH SERVICES.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1       SECTION 1. The legislature finds that there is an urgent  
2 and growing mental health crisis among youth in the United  
3 States. According to the Centers for Disease Control and  
4 Prevention (CDC), rates of depressive symptoms and suicidal  
5 thoughts among students have increased significantly in recent  
6 years. In the State, this crisis is made worse by the shortage  
7 of mental health professionals, limiting access to timely and  
8 consistent care. The legislature further finds that telehealth  
9 has emerged as an effective and accessible means of delivering  
10 mental health services, particularly for youth in underserved or  
11 remote areas.

12       The legislature notes, however, that despite telehealth's  
13 proven benefits, the use of telehealth services among youth has  
14 declined from 18.3 per cent in 2021 to 14.2 per cent in 2023, as  
15 reported by the CDC. The legislature finds that many students  
16 are unable to participate in telehealth appointments due to a



1 lack of privacy, busy schedules, or the absence of a safe and  
2 quiet space to engage meaningfully in virtual sessions.

3 The legislature believes that public schools can play a  
4 vital role in addressing this barrier. By providing a private  
5 and safe space, public schools can help ensure that students are  
6 not denied access to essential telehealth services.

7 Accordingly, the purpose of this Act is to:

8 (1) Require the department of education, in consultation  
9 with the department of health, to develop and  
10 distribute to each public middle and high school in  
11 the State guidelines for the establishment and  
12 operation of safe spaces for students to access  
13 telehealth services on school property during normal  
14 school hours; and

15 (2) Require each public middle and high school to  
16 establish and maintain a safe space for students  
17 according to the guidelines.

18 SECTION 2. Chapter 302A, Hawaii Revised Statutes, is  
19 amended by adding a new section to part II to be appropriately  
20 designated and to read as follows:



1        **"302A-    Telehealth services on school property; safe**  
2 **spaces for students.**    (a)    No later than December 31, 2026, the  
3 department, in consultation with the department of health, shall  
4 develop and distribute to each public middle and high school in  
5 the state guidelines for the establishment and operation of safe  
6 spaces for students to access telehealth services on school  
7 property during normal school hours on the same basis as  
8 students are permitted to schedule and participate in school  
9 counseling services. The guidelines shall include recommended  
10 standards for:

- 11        (1)    Equity and prioritization of access to safe spaces;  
12        (2)    Staffing and supervision, including training;  
13        (3)    Student and parental rights and responsibilities,  
14                including student privacy, informed consent, parental  
15                consent, and communications with parents;  
16        (4)    School system rights and responsibilities;  
17        (5)    Roles and responsibilities of health care providers  
18                providing telehealth services, including informed  
19                consent, collection of medical history and insurance  
20                information, follow-up care, and patient  
21                communications;



- 1        (6) The roles and responsibilities of school nurses and  
2        other school-based health, behavioral health, and  
3        other support personnel;
- 4        (7) Telehealth services related to a student's  
5        individualized education program or section 504 plan;
- 6        (8) Protocols to provide in-person support if telehealth  
7        appointments create a challenge to a student returning  
8        to class, especially relating to mental health  
9        counseling or treatment;
- 10       (9) Protocols for missed instruction due to standing or  
11       consistently scheduled appointments;
- 12       (10) Operational details, including coordination of  
13       services, approval and verification of appointments,  
14       including appointments without parental knowledge or  
15       consent, school resource allocation, and use of  
16       treatment space;
- 17       (11) School system, parent, and health care provider  
18       liability;
- 19       (12) Health insurance, including medicaid;
- 20       (13) Physical requirements for safe spaces in school  
21       buildings, which shall include:



1           (A) Privacy sufficient to allow for confidential  
2           conversations between a student and a health care  
3           provider; and

4           (B) Internet access and equipment necessary to  
5           accommodate telehealth services; and

6       (14) Any other issues determined relevant by the department  
7       or the department of health.

8       (b) Before the start of the 2027-2028 school year, each  
9       public middle and high school in the State shall establish and  
10       maintain a safe space in accordance with the guidelines issued  
11       by the department.

12       (c) Nothing in this section shall be construed to:

13       (1) Require a school to construct an addition or new space  
14       to a school building to provide a private space to  
15       comply with the student telehealth policy required  
16       under this section; or

17       (2) Limit or replace other student support programs,  
18       counseling services, or health services provided by  
19       the department.

20       (d) The department may adopt rules pursuant to chapter 91  
21       necessary for the purposes of this section.



(e) For the purposes of this section, "telehealth" has the same meaning as defined in section 431:10A-116.3."

SECTION 3. New statutory material is underscored.

SECTION 4. This Act shall take effect upon its approval.

INTRODUCED BY:

At 5



# S.B. NO. 2206

**Report Title:**

DOE; DOH; Safe Spaces for Students; Telehealth; Mental Health;  
Public Schools; Middle Schools; High Schools

**Description:**

Requires the Department of Education, in consultation with the Department of Health, to develop and distribute to each public middle and high school in the State guidelines for the establishment and operation of safe spaces for students to access telehealth services on school property during normal school hours. Requires each public middle and high school to establish and maintain a safe space for students according to the guidelines.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

