
OLR Bill Analysis

sHB 5168

AN ACT CONCERNING THE SECURE TRANSMISSION OF SAFETY PLANS OF MINOR PATIENTS TO SCHOOLS BY HEALTH CARE PROVIDERS.

SUMMARY

This bill regulates the review and sharing of certain minors' "safety plans" (written documents health care providers and patients create collaboratively, outlining coping strategies, activities, and support networks the patient can access to prevent or manage a potential mental health crisis).

Starting April 1, 2027, the bill requires each health care provider that prepares a safety plan for a minor patient who received at least 12 consecutive days of inpatient behavioral health care treatment to (1) review it with the minor, if medically appropriate, and (2) ask whether the minor or the minor's parent or legally authorized representative consents to sharing the safety plan with the minor's school. If this consent is given, the provider must (1) get written consent from the minor's parent or legally authorized representative (or the minor if they are at least age 16) and (2) send the plan to the minor's school or school district using a secure messaging system or in a way that complies with the federal Health Insurance Portability and Accountability Act (HIPAA).

Relatedly, the bill also requires:

1. school districts and schools to sign up for an organizational account on a secure messaging system and give at least one designated employee (for example, a school nurse, social worker, or psychologist) access to the account;
2. local and regional education boards (school boards) to give the State Department of Education (SDE) commissioner each

school's and school district's secure messaging system address to make available to health care providers; and

3. school boards to give new designated employees SDE-developed guidance on how to use the secure messaging system.

Additionally, the bill makes it a goal of the Statewide Health Information Exchange ("Connie") to give, within available appropriations, schools and school districts a secure messaging system organizational account that designated employees may access to receive these safety plans. The bill expressly provides that its requirements do not apply unless Connie provides these accounts at no cost to schools, school districts, and their designated employees.

EFFECTIVE DATE: Upon passage, except that the provision on guidance for new designated employees takes effect July 1, 2027.

SCHOOL SAFETY PLANS

Provider Requirements

The bill specifies that its provisions do not create a standard of medical care for minor patients or require a health care provider to do the following:

1. create a safety plan;
2. release information to a minor patient's parent or legally authorized representative if state or federal law allows the minor to withhold the information (for example, when it is about pregnancy, abortion, contraception, HIV, mental health treatment, or any other area of care that the provider promised to keep confidential); or
3. transmit a safety plan or provide any other information to someone in violation of HIPAA.

Secure Messaging Systems

The bill requires school boards, by January 1, 2027, to ensure that each school district or school, as determined by the board, (1) signs up for an

organizational account on a “secure messaging system” (for example, one that complies with the federal Office of the National Coordinator for Health Information Technology’s Direct Project specifications, see BACKGROUND) and (2) gives at least one designated employee (see below) access to the organizational account to access the safety plans.

Correspondingly, the bill makes it a goal of Connie to give, within available appropriations, (1) a secure messaging system organizational account to each board-determined school district and school to receive these safety plans and (2) designated employees access to the accounts. The bill’s requirements do not apply unless Connie provides these accounts at no cost to schools, school districts, and their designated employees.

Designated Employees

Under the bill, a “designated employee” is a school nurse or nurse practitioner, school nurse supervisor, school counselor, school social worker, or school psychologist the school board designates to access the safety plans.

The bill requires at least one designated employee to be a school nurse supervisor. Designated employees must keep the safety plans in a confidential file separate from any cumulative academic or health record, so long as safety plan information may be used for appropriate interventions under a minor’s individualized education program (IEP) or 504 plan (see BACKGROUND).

SDE List of Secure Messaging System Addresses

The bill requires school boards to give the SDE commissioner each school district’s and school’s secure messaging system address by April 1, 2027. After this date, the education boards must also give the commissioner any address changes within 30 days after receiving them.

The bill requires the SDE commissioner to create and maintain a list of these secure messaging system addresses and make it available to the state’s health care providers so they can send the safety plans.

Guidance for New Designated Employees

Starting with the 2027-2028 school year, each school board must provide guidance about the safety plans to new designated employees. More specifically, SDE must develop guidance and related training materials for the school boards to use that include instruction on using a secure messaging system to access safety plans sent by health care providers under the bill.

BACKGROUND

Direct Project Standards

The Direct Project is part of the Nationwide Health Information Network and specifies technical standards and services for health care providers to securely send authenticated, encrypted health information directly to trusted recipients online.

IEP and 504 Plans

An IEP is a written statement detailing a student's academic achievement level, goals for future achievement, and specialized educational services needed to reach the goals. Federal law requires school boards to develop IEPs for students eligible to receive special education and related services (Individuals with Disabilities Education Act, 20 U.S.C. § 1400 et seq.). Section 504 of the federal Rehabilitation Act of 1973 protects students with mental or physical disabilities from discrimination in public schools (29 U.S.C. § 794). Students who receive school accommodations under this law have them memorialized in a written plan, commonly known as a "504 plan."

Legislative History

The House referred the bill (File 37) to the Education Committee, which reported a substitute that adds provisions specifying that the bill's requirements do not apply unless Connie provides secure messaging system organizational accounts at no cost to schools, school districts, and their designated employees.

COMMITTEE ACTION

Public Health Committee

Joint Favorable Substitute

Yea 22 Nay 9 (03/02/2026)

Education Committee

Joint Favorable Substitute

Yea 41 Nay 2 (04/06/2026)