

# POLICY SERVICES

## ADVISORY

Volume 34, Number 1

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Policy Advisory No. 716.....(*New Policy*) JLDAB — Referrals to Other Agencies  
(*New Regulation*) Regulation JLDAB-R — Referrals to Other Agencies  
(*New Exhibit*) Exhibit JLDAB-E --- Referrals to Other Agencies

### POLICY ADVISORY DISCUSSION

This policy advisory derives from legislation passed in 2020. In 2020, the Arizona legislature passed “Jake’s Law” which created a fund that provides uninsured and underinsured children access to behavioral health services when they are referred through an educational institution—otherwise known as “school-based referrals.” To make school-based referrals, the legislature required school districts and charter schools to pass a policy that outlined the law as it relates to school-based referrals. The policy must include: (1) an opt-in process for parents; (2) a survey to parents whose children utilize school-based referrals; (3) a list of service providers published on the district website; and (4) an annual report to the Arizona Health Care Cost Containment System (AHCCCS). The policies must be published on the school’s website.

#### Policy Advisory No. 716

**JLDAB – Referrals to Other Agencies**  
**JLDAB-R – Referrals to Other Agencies**  
**JLDAB-E – Referrals to Other Agencies**

JLDAB, JLDAB-R, and JLDAB-E, are new to ASBA’s manual. The documents provide a mechanism for school districts and charter schools to refer children to community based behavioral health providers and to have those services paid for by the Children’s behavioral health services fund or AHCCCS. The policy is optional, meaning that the law does not require schools to make school-based referrals. However, if the school elects to make these referrals, then **a** policy is mandatory. JLDAB is a policy that enables the statute to work as intended; JLDAB-R is a regulation the Superintendent may utilize to achieve the goals of policy JLDAB; and JLDAB-E is an exhibit of the survey Superintendents may utilize to comply with the statute and policy.

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*Note:* This material is written for informational purposes only, and not as legal advice. You may wish to consult an attorney for further explanation.

If you have any questions, call Policy Services at (602) 254-1100. Ask for Nick Buzan, Director of Legal and Policy Services; Steve Highlen, Senior Policy Consultant; Dr. Charlotte Patterson, Policy Consultant; or Lynne Bondi, Policy Consultant. Our e-mail addresses are, respectively, [nbuzan@azsba.org], [shighlen@azsba.org], [cpatterson@azsba.org] and [lbondi@azsba.org]. You may also fax information to (602) 254-1177.

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**JLDAB ©**  
**REFERRALS TO OTHER AGENCIES**

The Superintendent is authorized, at his or her discretion, to make school-based referrals to community based behavioral health providers in compliance with A.R.S. §36-3436.01.

If the Superintendent elects to provide school-based referrals for behavioral health services to a contracted behavioral health services provider pursuant to the children's behavioral health services fund established by section A.R.S. §36-3436 or for services provided through the Arizona health care cost containment system, then the Superintendent shall:

- A. Create a process to allow parents to annually opt-in to school-based referrals. (See JLDAB-R).
- B. Create a process to conduct a survey of parents whose children were referred to and received behavioral health services pursuant to A.R.S. §36-3436.01. The survey must meet the requirements of A.R.S. §36-3436.01(2). (See JLDAB-E)
- C. Post a list of behavioral health services providers with whom the school contracts on the school's website.
- D. Post this policy on the applicable school website.
- E. At the end of each school year, report to the Arizona health care cost containment system administration the school survey results. (See JLDAB-E)

Adopted: <-- z2AdoptionDate -->

LEGAL REF.:  
A.R.S.  
36-3436.01

**JLDAB-R ©**

**REGULATION**

**REERRALS TO OTHER AGENCIES**

**(Community Based Behavioral Health Providers -  
Parental Consent and Surveys)**

**Parental Consent**

Annually, at student enrollment, the Superintendent will provide parents an opportunity to opt- in to school based behavioral health referrals.

**Surveys**

By statute, school districts are required to have a process for conducting a survey and reporting the results to Arizona Health Care Cost Containment System (AHCCCS). The Superintendent may rely on the AHCCCS generated survey, found here: <https://forms.gle/siXH3bgmn3xfw9qk9>. (See JLDAB-E). This survey reports the required data to AHCCCS in real time eliminating the need for end of the year reporting.

The Superintendent may develop a process which includes the AHCCCS survey being administered by partnering community based behavioral health providers. If the Superintendent chooses to conduct their own survey, they must report it to Arizona Health Care Cost Containment System as required by law, report to [BHschools@azahcccs.gov](mailto:BHschools@azahcccs.gov).

**JLDAB-E ©**

**EXHIBIT**

**REERRALS TO OTHER AGENCIES  
SURVEY**

**Surveys**

The following survey was created by the Arizona health care cost containment system. It can be found at: <https://forms.gle/siXH3bgmn3xfw9qk9>. The results will be recorded by AHCCCS and sent to the Governor annually. This survey meets the requirement of statute.

**Behavioral Health  
Services Survey**

You are being invited to complete this survey as a parent/guardian whose child/children were referred for behavioral health services through their school. This information will be used to improve the process for referrals and use of behavioral health services through schools. Unless you choose to include your personal information, your responses are anonymous.

***Some definitions to consider:*** behavioral health services means treatment for the connection between the health and well-being of the body and the mind including mental and substance use issues; referral means direction for services from the school to a provider.

Interpretation services can be provided at no cost, if needed. For interpretation services, or any other questions, please ask your provider for assistance in completing the survey.

**\* *Required***

What is your child's age? \* \_\_\_\_\_

What school does your child attend? \* \_\_\_\_\_

What grade is your child in? \* \_\_\_\_\_

What is your child's gender? \* \_\_\_\_\_

What is your child's race? \* \_\_\_\_\_

*Note:* This material is written for informational purposes only, and not as legal advice. You may wish to consult an attorney for further explanation.

How happy were you with the way in which you were asked about consenting to, or opting-in, for your child to be referred for behavioral health services? \*

Very Unhappy 😞

- 1
- 2
- 3
- 4
- 5

Very Happy 😊

How happy were you with the way you were notified of your child being referred for behavioral health services? \*

Very Unhappy 😞

- 1
- 2
- 3
- 4
- 5

Very Happy 😊

How happy were you with the behavioral health services that your student received? \*

Very Unhappy 😞

- 1
- 2
- 3
- 4
- 5

Very Happy 😊

How happy were you with the choice of behavioral health service providers? \*

Very Unhappy 😞

- 1
- 2
- 3
- 4
- 5

Very Happy 😊

If needed again in the future, would you consent to, or opt-in to, a referral for behavioral health services through your student's school? \*

\_\_\_ Yes

\_\_\_ No

If you would like to give any additional comments, please add here.