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HB 2420 Requiring school districts to obtain parental consent prior to providing certain school-based mental health services to a student

Opponent In Person

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Chairman Estes and Members of the Committee:

On behalf of the **Kansas School Nurses Organization (KSNO)**, thank you for the opportunity to provide testimony in opposition to House Bill 2420. As the primary healthcare providers within our state's schools, school nurses are often the first point of contact for students experiencing mental health crises, emotional distress, or social-emotional hurdles that impact their ability to learn.

While we firmly believe that parents are the primary decisionmakers in their children's lives, we are concerned that the stringent requirements of HB 2420 will create dangerous barriers to care while children are at school, delay life-saving interventions, and strain the already limited resources of Kansas school districts.

Key Areas of Concern

1. Redundancy: Existing Kansas Law (K.S.A. 72-6287) Already Protects Parents The protections sought by this bill are already enshrined in Kansas law. Under **K.S.A. 72-6287**, which went into effect July 1, 2024, school-based providers are already required to obtain parental consent for "ongoing behavioral health treatment." This existing statute provides a clear, balanced framework that respects parental rights while allowing schools to function. HB 2420 is not only unnecessary but adds a layer of confusing bureaucracy to a system that is already legally compliant and transparent.

2. Delays in Essential Care Under HB 2420, even a brief check-in with a student who is crying or exhibiting signs of severe anxiety may require "direct verbal communication" and "written consent" before a nurse can provide support. In many households, parents work multiple jobs or may not be immediately reachable. Forcing a student to wait for hours—or days—for paperwork to clear during an emotional crisis is clinically unsound and inhumane.

3. Partnership and Safety: Our Shared Goal with Parents As school nurses, we want parents to work with schools to keep their students safe. We believe in a collaborative model where parents are informed

and involved in their child's health journey. However, this bill treats health professionals as adversaries rather than partners. By mandating a \$5,000 civil penalty, it creates a "chilling effect" where staff may fear helping a student in distress until they have verified legal standing, potentially leaving a student in an unsafe state while we chase signatures.

4. Financial and Administrative Burden The imposition of a \$5,000 civil penalty per violation is an unprecedented move that targets school districts already facing budget constraints. Funds that should be used for student resources will instead be diverted to legal compliance monitoring.

5. Limitations of the Suicide Exception Mental health is a continuum. While the bill allows an exception for suicide risk, waiting until a student is at "credible risk of suicide" to intervene without a signed form is reactive rather than preventative. We want to work with parents to address issues *before* they reach the level of a life-threatening crisis.

Conclusion

The Kansas School Nurses Organization urges this committee to consider the unintended consequences of HB 2420. We advocate for policies that encourage parental involvement through collaboration and transparency—goals already met by current Kansas law—rather than through rigid mandates that penalize schools and could have the unintended result of leaving students in distress.

We respectfully ask that you not pass HB 2420 out of committee.

I will stand for questions.

Respectfully Submitted,

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