

By: Thierry, et al.

H.B. No. 1114

A BILL TO BE ENTITLED

AN ACT

relating to providing mental health services and mental health education to public school students at school-based health centers.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 38.051(a), Education Code, is amended to read as follows:

(a) A school district in this state may, if the district identifies the need, design a model in accordance with this subchapter for the delivery of cooperative health care programs for students and their families and may compete for grants awarded under this subchapter. The model may provide for the delivery of:

(1) conventional health services;

(2) mental health services; and

(3) disease prevention of emerging health threats that are specific to the district.

SECTION 2. Section 38.058, Education Code, is amended to read as follows:

Sec. 38.058. HEALTH EDUCATION AND HEALTH CARE ADVISORY COUNCIL. (a) The board of trustees of a school district or the governing body of an open-enrollment charter school may establish and appoint members to a local health education and health care advisory council to make recommendations to the district or school on the establishment of school-based health centers to provide health care services, including mental health services, and to

1 assist the district or school in ensuring that local community
2 values are reflected in the operation of each center and in the
3 provision of health education and mental health education.

4 (b) A majority of the members of the council must be parents
5 of students enrolled in the school district or open-enrollment
6 charter school. In addition to the appointees who are parents of
7 students, the board of trustees or governing body shall also
8 appoint at least one person from each of the following groups:

9 (1) classroom teachers;

10 (2) school administrators;

11 (3) school counselors;

12 (4) health care professionals licensed or certified to
13 practice in this state;

14 (5) mental health care professionals licensed to
15 practice in this state;

16 (6) the clergy;

17 (7) [~~(6)~~] law enforcement;

18 (8) [~~(7)~~] the business community;

19 (9) [~~(8)~~] senior citizens; and

20 (10) [~~(9)~~] students.

21 SECTION 3. Section 38.063(c), Education Code, is amended to
22 read as follows:

23 (c) All health care programs should be designed to meet the
24 following goals:

25 (1) reducing student absenteeism;

26 (2) increasing a student's ability to meet the
27 student's academic potential; and

1 (3) stabilizing the physical and mental well-being of
2 a student.

3 SECTION 4. Section 38.064(a), Education Code, is amended to
4 read as follows:

5 (a) Based on statistics obtained from every school-based
6 health center in this state that receives funding through the
7 Department of State Health Services, the Department of State Health
8 Services shall issue a biennial report to the legislature about the
9 relative efficacy of services delivered by the centers during the
10 preceding two years and any increased academic success of students
11 at campuses served by those centers, with special emphasis on any:

12 (1) increased attendance, including attendance
13 information regarding students with chronic illnesses;

14 (2) decreased drop-out rates;

15 (3) improved student health, including improved
16 mental health;

17 (4) increased student immunization rates;

18 (5) increased student participation in preventive
19 health measures, including routine physical examinations and
20 checkups conducted in accordance with the Texas Health Steps
21 program; and

22 (6) improved performance on student assessment
23 instruments administered under Subchapter B, Chapter 39.

24 SECTION 5. The board of trustees of a school district or the
25 governing body of an open-enrollment charter school that has
26 established a local health education and health care advisory
27 council under Section 38.058, Education Code, shall appoint to the

1 council a mental health professional licensed in this state, as
2 required by the change in law made by this Act, as soon as
3 practicable and not later than January 1, 2022.

4 SECTION 6. This Act takes effect immediately if it receives
5 a vote of two-thirds of all the members elected to each house, as
6 provided by Section 39, Article III, Texas Constitution. If this
7 Act does not receive the vote necessary for immediate effect, this
8 Act takes effect September 1, 2021.