

By: Neave

H.B. No. 4041

A BILL TO BE ENTITLED

AN ACT

relating to a suicide prevention policy in residential child-care facilities and child-placing agencies.

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

SECTION 1. Subchapter C, Chapter 42, Human Resources Code, is amended by adding Section 42.0433 to read as follows:

Sec. 42.0433. SUICIDE PREVENTION, INTERVENTION, AND POSTVENTION PLAN. (a) In this section, "postvention" has the meaning assigned by Section 38.351, Education Code.

(b) The executive commissioner by rule shall adopt a model suicide prevention, intervention, and postvention policy for use by a residential child-care facility. The model policy must:

(1) be based on current and best evidence-based practices;

(2) require all employees of the facility to receive annual suicide prevention training that includes understanding of safety planning and screening for risk;

(3) promote suicide prevention training for non-employee entities, as appropriate; and

(4) include procedures to support children who return to the facility following hospitalization for a mental health condition.

(c) Each residential child-care facility shall adopt a suicide prevention, intervention, and postvention policy. A

1 residential child-care facility may adopt:

2 (1) the model policy adopted by the executive
3 commissioner under Subsection (b); or

4 (2) another suicide prevention, intervention, and
5 postvention policy approved by the executive commissioner.

6 (d) The suicide prevention, intervention, and postvention
7 policy adopted under Subsection (c) may be part of a broader mental
8 health crisis plan if the components of the plan include suicide
9 prevention, intervention, and postvention.

10 (e) The commission shall provide to a residential
11 child-care facility any technical assistance necessary to adopt or
12 implement a suicide prevention, intervention, and postvention
13 policy.

14 SECTION 2. Section 42.252(c), Human Resources Code, is
15 amended to read as follows:

16 (c) The operational plan must include:

17 (1) a community engagement plan to develop and, if
18 necessary, improve relations between the general residential
19 operation and the community in which the operation is located that
20 includes:

21 (A) a summary of any discussions the operation
22 had with:

23 (i) local law enforcement; and

24 (ii) local health, therapeutic, and
25 recreational resources available to support children at the
26 operation; and

27 (B) a summary of the opportunities the children

1 at the operation will have for social interaction in the community;

2 (2) an educational plan describing the applicant's
3 plan to provide for the educational needs of the children at the
4 general residential operation that:

5 (A) identifies whether the proposed operation
6 will provide for the public or private education of school-age
7 children at the operation;

8 (B) identifies whether the proposed operation
9 will provide for the education of school-age children through a
10 local school, off-site charter school, or on-site charter school;

11 (C) includes any discussions, plans, and
12 agreements with the local school district, private school, or local
13 charter school that will be providing education to the school-age
14 children at the operation; and

15 (D) if the children are to be enrolled in a public
16 school, includes either:

17 (i) a statement from the local independent
18 school district on the impact of the proposed child-care services
19 on the local school district; or

20 (ii) an explanation of the reasons the
21 operation was unable to obtain a statement described by
22 Subparagraph (i) and a discussion of other alternative educational
23 services that the operation could offer;

24 (3) a trauma-informed plan to address unauthorized
25 absences of children from the general residential operation; ~~and~~

26 (4) a suicide prevention, intervention, and
27 postvention plan that meets the requirements of Section 42.0433;

1 and

2 (5) the qualifications, background, and history,
3 including any compliance history, of each individual who is
4 proposed to be involved in:

5 (A) the management of the operation; and

6 (B) the educational leadership of the operation
7 if the operation will be using an on-site charter school.

8 SECTION 3. Not later than July 1, 2022, the
9 executive commissioner of the Health and Human Services Commission
10 shall adopt the model suicide prevention, intervention, and
11 postvention policy required by Section 42.0433, Human Resources
12 Code, as added by this Act.

13 SECTION 4. This Act takes effect September 1, 2021.