

By: Gamez

H.B. No. 1904

A BILL TO BE ENTITLED

AN ACT

relating to the establishment of a border county mental health task force.

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

SECTION 1. Chapter 533, Health and Safety Code, is amended by adding Subchapter F to read as follows:

SUBCHAPTER F. BORDER COUNTY MENTAL HEALTH TASK FORCE

Sec. 533.151. DEFINITION. In this subchapter, "task force" means the Border County Mental Health Task Force established under this subchapter.

Sec. 533.152. SUNSET PROVISION. The task force is subject to Chapter 325, Government Code (Texas Sunset Act). Unless continued in existence as provided by that chapter, the task force is abolished and this subchapter expires September 1, 2035.

Sec. 533.153. TASK FORCE; DUTIES. (a) The department shall establish the task force to advise the commissioner regarding the mental and behavioral health problems, conditions, challenges, and needs of the population of a county that:

(1) is adjacent to the international border with Mexico; and

(2) has a population of less than 500,000 and more than 400,000.

(b) The task force shall advise the commissioner on:

(1) policy priorities addressing major issues

1 affecting the mental and behavioral health of county residents;  
2 (2) raising public awareness of the issues described  
3 by Subdivision (1); and  
4 (3) other mental and behavioral health issues  
5 affecting county residents, as determined by the commissioner,  
6 including:  
7 (A) barriers to accessing mental and behavioral  
8 health care;  
9 (B) mental and behavioral health problems,  
10 including, but not limited to:  
11 (i) suicide;  
12 (ii) depression;  
13 (iii) eating disorders;  
14 (iv) substance abuse;  
15 (v) schizophrenia; and  
16 (vi) bipolar disorder;  
17 (C) factors that impede access to mental and  
18 behavioral health care, including:  
19 (i) socioeconomic conditions;  
20 (ii) linguistic and cultural barriers;  
21 (iii) low population density; and  
22 (iv) lack of health insurance;  
23 (D) surveillance and tracking of factors that  
24 negatively affect the residents' mental and behavioral health;  
25 (E) standardization of information collection  
26 procedures to ensure the compatibility of data collected on both  
27 sides of the international border with Mexico;

1                   (F) identifying best practices and  
2 standardization of first responder and law enforcement response to  
3 individuals suffering mental health crisis;

4                   (G) mental and behavioral health infrastructure  
5 that includes the establishment of:

6                   (i) education and research institutions to  
7 train culturally competent mental and behavioral health care  
8 providers; and

9                   (ii) local and regional mental and  
10 behavioral health programs that build on local resources and  
11 maximize the use of public money to address the needs of indigent  
12 populations; and

13                   (H) consult, collaboration, and cooperation at  
14 with any:

15                   (i) other health and human services  
16 agencies;

17                   (ii) other appropriate state or federal  
18 agencies;

19                   (iii) health science centers and medical  
20 schools; and

21                   (iv) public and private health care  
22 providers and hospitals.

23                   (v) Mexican counterparts of the task force;

24 or

25                   (vi) federal counterparts of the task force  
26 operating in the United States.

27                   Sec. 533.154. COLLABORATION WITH OFFICE OF BORDER HEALTH.

1 The Office of Border Health established under Section 12.071 shall  
2 provide:

- 3 (1) staff support to the task force; and
- 4 (2) to the extent practicable, any other assistance  
5 required by the task force.

6 Sec. 533.155. COMPOSITION; TERMS. (a) The task force is  
7 composed of:

- 8 (1) one member appointed by the commissioner who is a  
9 first responder or emergency personnel in the county to which this  
10 task force applies with experience treating patients experiencing  
11 mental and behavioral health problems;

- 12 (2) two ex officio nonvoting members who are members  
13 of the legislature:

- 14 (A) one of whom is appointed by the lieutenant  
15 governor; and

- 16 (B) one of whom is appointed by the speaker of the  
17 house of representatives; and

- 18 (3) additional voting members appointed by the  
19 commissioner from the county to which this task force applies  
20 including but not limited to representatives from:

- 21 (A) hospitals;

- 22 (B) community health centers;

- 23 (C) the local mental health authority;

- 24 (D) the county health administration;

- 25 (E) a judge with experience in mental health  
26 diversion proceedings; and

- 27 (F) the district attorney's office.

1       (b) The commissioner shall designate a chair and vice chair  
2 of the task force from among the task force members.

3       (c) The members appointed by the lieutenant governor and the  
4 speaker of the house of representatives serve three-year terms. The  
5 remaining members of the task force serve at the pleasure of the  
6 commissioner.

7       Sec. 533.156. MEETINGS. (a) The task force shall meet at  
8 least quarterly each fiscal year. Members may hold meetings by  
9 conference calls and through videoconference in accordance with  
10 Section 551.127, Government Code.

11       (b) Section 551.125, Government Code, applies to a meeting  
12 held by conference call under this section, except that Subsection  
13 (b) of that section does not apply.

14       Sec. 533.157. COMPENSATION AND REIMBURSEMENT. A task force  
15 member is not entitled to compensation or reimbursement for  
16 expenses incurred in performing the member's duties.

17       Sec. 533.158. SHORT-TERM AND LONG-TERM BORDER COUNTY MENTAL  
18 HEALTH IMPROVEMENT PLANS: TASK FORCE, COMMISSIONER, AND EXECUTIVE  
19 COMMISSIONER DUTIES. (a) The task force shall make  
20 recommendations to the commissioner for short-term and long-term  
21 border county mental health improvement plans. The short-term plan  
22 shall identify mental and behavioral health objectives proposed to  
23 be accomplished not later than the fourth anniversary of the date  
24 the plan is adopted. The long-term plan shall identify mental and  
25 behavioral health objectives proposed to be accomplished not later  
26 than the ninth anniversary of the date the plan is adopted.

27       (b) The commissioner shall review the task force's

1 recommendations and, based on those recommendations, recommend  
2 short-term and long-term border county mental health improvement  
3 plans to the executive commissioner, identifying specific mental  
4 and behavioral health objectives that may be implemented under  
5 existing law in counties located along the international border  
6 with Mexico.

7 (c) The executive commissioner shall adopt short-term and  
8 long-term border county mental health improvement plans and direct  
9 the department to implement the portions of the plans that may be  
10 implemented within existing appropriations and under existing law  
11 in counties located along the international border with Mexico.

12 Sec. 533.159. APPLICATION OF OTHER LAW. Chapter 2110,  
13 Government Code, does not apply to the task force.

14 Sec. 533.160. ASSISTANCE FROM STATE AGENCIES AND POLITICAL  
15 SUBDIVISIONS. At the request of the task force, a state agency or  
16 political subdivision of this state may cooperate with the task  
17 force in implementing the task force's statutory duties.

18 Sec. 533.161. REPORTS. (a) Not later than September 1 of  
19 each even-numbered year, the task force shall submit to the  
20 commissioner a report of the task force's recommendations,  
21 including recommendations under Section 533.158 relating to  
22 short-term and long-term border county mental health improvement  
23 plans.

24 (b) Not later than December 1 of each even-numbered year,  
25 the executive commissioner shall submit to the legislature a report  
26 detailing the actions taken by the task force. The report must  
27 include:

1           (1) the status of all projects and activities  
2 involving the mental and behavioral health issues described under  
3 Section 533.153(b)(3);

4           (2) the funding for the expenditures; and

5           (3) recommendations for legislation necessary to  
6 implement the short-term and long-term border county mental health  
7 improvement plans.

8           SECTION 2. Not later than October 1, 2023, the commissioner  
9 of the Department of State Health Services, lieutenant governor,  
10 and speaker of the house of representatives shall appoint the  
11 members of the Border County Mental Health Task Force established  
12 under Subchapter F, Chapter 533, Health and Safety Code, as added by  
13 this Act.

14           SECTION 3. The initial short-term mental health improvement  
15 plan adopted under Section 533.158, Health and Safety Code, as  
16 added by this Act, must include a mental health improvement plan for  
17 implementation beginning not later than September 1, 2024. The  
18 Department of State Health Services shall implement the initiatives  
19 in the short-term mental health improvement plan, as directed by  
20 the executive commissioner of the Health and Human Services  
21 Commission, not later than September 1, 2028.

22           SECTION 4. The initial long-term mental health improvement  
23 plan adopted under Section 533.158, Health and Safety Code, as  
24 added by this Act, must include a mental health improvement plan for  
25 implementation beginning not later than September 1, 2026. The  
26 Department of State Health Services shall implement the initiatives  
27 in the long-term mental health improvement plan, as directed by the

1 executive commissioner of the Health and Human Services Commission,  
2 not later than September 1, 2033.

3 SECTION 5. This Act takes effect immediately if it receives  
4 a vote of two-thirds of all the members elected to each house, as  
5 provided by Section 39, Article III, Texas Constitution. If this  
6 Act does not receive the vote necessary for immediate effect, this  
7 Act takes effect September 1, 2023.