

1-1 By: Price, et al. H.B. No. 2059  
 1-2 (Senate Sponsor - Zaffirini, et al.)  
 1-3 (In the Senate - Received from the House April 17, 2023;  
 1-4 May 2, 2023, read first time and referred to Committee on Health &  
 1-5 Human Services; May 11, 2023, reported favorably by the following  
 1-6 vote: Yeas 9, Nays 0; May 11, 2023, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			

1-18 A BILL TO BE ENTITLED  
 1-19 AN ACT

1-20 relating to mental health first aid training provided by local  
 1-21 mental health authorities and local behavioral health authorities.

1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-23 SECTION 1. Section 1001.201, Health and Safety Code, is  
 1-24 amended to read as follows:

1-25 Sec. 1001.201. DEFINITIONS. In this subchapter:

1-26 (1) "Child-care facility" has the meaning assigned by  
 1-27 Section 42.002, Human Resources Code.

1-28 (2) "Educator" means a person who is required to hold a  
 1-29 certificate issued under Subchapter B, Chapter 21, Education Code.

1-30 (3) "First responder" has the meaning assigned by  
 1-31 Section 421.095, Government Code.

1-32 (4) "Institution of higher education" has the meaning  
 1-33 assigned by Section 61.003, Education Code.

1-34 (5) "Local behavioral health authority" means an  
 1-35 authority designated by the commission under Section 533.0356.

1-36 (6) ~~(2)~~ "Local mental health authority" has the  
 1-37 meaning assigned by Section 531.002.

1-38 (7) "Open-enrollment charter school" and "private  
 1-39 school" have the meanings assigned by Section 5.001, Education  
 1-40 Code.

1-41 (8) ~~(3)~~ "Regional education service center" means a  
 1-42 regional education service center established under Chapter 8,  
 1-43 Education Code.

1-44 (9) ~~(4)~~ "School district employee" means a person  
 1-45 employed by a school district who regularly interacts with students  
 1-46 through the course of the person's duties, including an educator, a  
 1-47 secretary, a school bus driver, or a cafeteria worker.

1-48 (10) ~~(5)~~ "School resource officer" has the meaning  
 1-49 assigned by Section 1701.601, Occupations Code.

1-50 ~~[(6) "University employee" means a person employed by~~  
 1-51 ~~a public or private institution of higher education who regularly~~  
 1-52 ~~interacts with students enrolled at the university through the~~  
 1-53 ~~course of the person's duties.]~~

1-54 SECTION 2. Section 1001.202, Health and Safety Code, is  
 1-55 amended to read as follows:

1-56 Sec. 1001.202. GRANTS FOR TRAINING OF MENTAL HEALTH FIRST  
 1-57 AID TRAINERS. (a) To the extent money is ~~[funds are]~~ appropriated  
 1-58 to the commission ~~[department]~~ for that purpose, the commission  
 1-59 ~~[department]~~ shall make grants to local mental health authorities  
 1-60 or local behavioral health authorities to contract with persons  
 1-61 approved by the commission ~~[department]~~ to train employees or

2-1 contractors of the authorities as mental health first aid trainers.  
 2-2 (b) The commission [~~department~~] shall make each grant to a  
 2-3 local mental health authority or local behavioral health authority  
 2-4 under this section in the ~~an~~ amount the commission determines  
 2-5 necessary to cover the costs of training [~~equal to \$1,000 times the~~  
 2-6 ~~number of~~] employees or contractors of the authority whose training  
 2-7 as mental health first aid trainers will be paid by the grant.

2-8 (d) The executive commissioner shall adopt rules to  
 2-9 establish the requirements for a person to be approved by the  
 2-10 commission [~~department~~] to train employees or contractors of a  
 2-11 local mental health authority or local behavioral health authority  
 2-12 as mental health first aid trainers. The rules must ensure that a  
 2-13 person who is approved by the commission [~~department~~] is qualified  
 2-14 to provide training in:

2-15 (1) the potential risk factors and warning signs for  
 2-16 various mental illnesses, including depression, anxiety, trauma,  
 2-17 psychosis, eating disorders, substance use [~~abuse~~] disorders, and  
 2-18 self-injury;

2-19 (2) the prevalence of various mental illnesses in the  
 2-20 United States and the need to reduce the stigma associated with  
 2-21 mental illness;

2-22 (3) an action plan for use by the employees or  
 2-23 contractors that involves the use of skills, resources, and  
 2-24 knowledge to assess a situation and develop and implement an  
 2-25 appropriate intervention to help an individual experiencing a  
 2-26 mental health crisis obtain appropriate professional care; and

2-27 (4) the evidence-based professional, peer, social,  
 2-28 and self-help resources available to help individuals with mental  
 2-29 illness.

2-30 (e) Two or more local mental health authorities or local  
 2-31 behavioral health authorities may collaborate and share resources  
 2-32 to provide training for employees or contractors of the authorities  
 2-33 under this section.

2-34 SECTION 3. Section 1001.203, Health and Safety Code, is  
 2-35 amended to read as follows:

2-36 Sec. 1001.203. GRANTS FOR TRAINING CERTAIN INDIVIDUALS  
 2-37 [~~UNIVERSITY EMPLOYEES, SCHOOL DISTRICT EMPLOYEES, AND SCHOOL~~  
 2-38 ~~RESOURCE OFFICERS~~] IN MENTAL HEALTH FIRST AID. (a) To the extent  
 2-39 money is [~~funds are~~] appropriated [~~to the department~~] for the  
 2-40 [~~that~~] purpose, the commission [~~department~~] shall make grants to  
 2-41 local mental health authorities or local behavioral health  
 2-42 authorities to provide at no cost an approved mental health first  
 2-43 aid training program~~]~~ administered by mental health first aid  
 2-44 trainers~~]~~ at no cost to the following individuals at the  
 2-45 discretion of the authorities:

2-46 (1) [~~university employees,~~] school district  
 2-47 employees~~]~~ and school resource officers;

2-48 (2) employees of:  
 2-49 (A) an institution of higher education;  
 2-50 (B) an open-enrollment charter school; or  
 2-51 (C) a private school;

2-52 (3) employees and contractors of a child-care  
 2-53 facility;

2-54 (4) youth;  
 2-55 (5) individuals with direct and recurring contact with  
 2-56 students;

2-57 (6) first responders;  
 2-58 (7) military service members, veterans, or immediate  
 2-59 family members of military service members or veterans;

2-60 (8) judges and attorneys, as applicable based on the  
 2-61 practice of law of the judge or attorney; or

2-62 (9) contractors of an institution of higher education,  
 2-63 an open-enrollment charter school, a private school, or a school  
 2-64 district.

2-65 (c) The commission [~~department~~] shall grant [~~\$100~~] to a  
 2-66 local mental health authority or local behavioral health authority  
 2-67 the amount the commission determines necessary to cover the costs  
 2-68 of training each individual described by Subsection (a) [~~for each~~  
 2-69 ~~university employee, school district employee, or school resource~~

3-1 ~~officer~~] who successfully completes a mental health first aid  
 3-2 training program provided by the authority under this section.

3-3 (d) A mental health first aid training program provided by a  
 3-4 local mental health authority or local behavioral health authority  
 3-5 under this section must:

3-6 (1) be conducted by a person trained as a mental health  
 3-7 first aid trainer;

3-8 (2) provide participants with the skills necessary to  
 3-9 help an individual experiencing a mental health crisis until the  
 3-10 individual is able to obtain appropriate professional care; and

3-11 (3) include:

3-12 (A) instruction in a five-step strategy for  
 3-13 helping an individual experiencing a mental health crisis,  
 3-14 including assessing risk, listening respectfully to and supporting  
 3-15 the individual, and identifying professional help and other  
 3-16 supports for the individual;

3-17 (B) an introduction to the risk factors and  
 3-18 warning signs for mental illness and substance use [~~abuse~~]  
 3-19 problems;

3-20 (C) experiential activities to increase  
 3-21 participants' understanding of the impact of mental illness on  
 3-22 individuals and families; and

3-23 (D) a presentation of evidence-supported  
 3-24 treatment and self-help strategies.

3-25 (e) A local mental health authority or local behavioral  
 3-26 health authority may contract with a regional education service  
 3-27 center to provide under this section a mental health first aid  
 3-28 training program to ~~[university employees,~~ school district  
 3-29 employees and contractors, ~~[and]~~ school resource officers,  
 3-30 open-enrollment charter school employees and contractors, private  
 3-31 school employees and contractors, and employees and contractors of  
 3-32 an institution of higher education [under this section].

3-33 (f) Two or more local mental health authorities or local  
 3-34 behavioral health authorities may collaborate and share resources  
 3-35 to develop and operate a mental health first aid training program  
 3-36 under this section.

3-37 SECTION 4. Section 1001.204, Health and Safety Code, is  
 3-38 amended to read as follows:

3-39 Sec. 1001.204. PLANS FOR MENTAL HEALTH FIRST AID TRAINING  
 3-40 PROGRAMS. (a) Not later than July 1 of each even-numbered [~~state~~  
 3-41 ~~fiscal~~] year for which a local mental health authority or local  
 3-42 behavioral health authority will seek a grant from the commission  
 3-43 [~~department~~] under Section 1001.203, the authority shall submit to  
 3-44 the commission [~~department~~] a plan demonstrating the manner in  
 3-45 which grants made to the authority under that section will be used:

3-46 (1) to train individuals in mental health first aid  
 3-47 throughout the authority's local service area to maximize the  
 3-48 number of children who have direct contact with an individual who  
 3-49 has successfully completed a mental health first aid training  
 3-50 program provided by the authority;

3-51 (2) to meet the greatest needs of the authority's local  
 3-52 service area, as identified by the authority; and

3-53 (3) to complement existing resources and not duplicate  
 3-54 established mental health first aid training efforts.

3-55 (b) The commission [~~department~~] may not make a grant to a  
 3-56 local mental health authority or local behavioral health authority  
 3-57 under Section 1001.203 unless the commission [~~department~~] has  
 3-58 evaluated a plan submitted by the authority under this section.

3-59 SECTION 5. Section 1001.205, Health and Safety Code, is  
 3-60 amended to read as follows:

3-61 Sec. 1001.205. REPORTS. (a) Not later than September 30 of  
 3-62 each year, a local mental health authority or local behavioral  
 3-63 health authority shall provide to the commission [~~department~~] the  
 3-64 number of:

3-65 (1) employees and contractors of the authority who  
 3-66 were trained as mental health first aid trainers under Section  
 3-67 1001.202 during the preceding fiscal year, the number of trainers  
 3-68 who left the program for any reason during the preceding fiscal  
 3-69 year, and the number of active trainers;

4-1 (2) [~~university employees,~~] school district  
 4-2 employees[~~7~~] and contractors, school resource officers,  
 4-3 open-enrollment charter school employees and contractors, private  
 4-4 school employees and contractors, and employees and contractors of  
 4-5 an institution of higher education who completed a mental health  
 4-6 first aid training program offered by the authority under Section  
 4-7 1001.203 during the preceding fiscal year categorized by:

4-8 (A) local mental health authority or local  
 4-9 behavioral health authority region;

4-10 (B) [~~university or~~] school district,  
 4-11 open-enrollment charter school, private school, and institution of  
 4-12 higher education, as applicable; [7] and

4-13 (C) category of personnel;

4-14 (3) child-care facility employees and contractors,  
 4-15 youth, individuals with direct and recurring contact with students,  
 4-16 first responders, judges, and attorneys [~~individuals who are not~~  
 4-17 ~~university employees, school district employees, or school~~  
 4-18 ~~resource officers]~~ who completed a mental health first aid training  
 4-19 program offered by the authority during the preceding fiscal year  
 4-20 categorized by local mental health authority or local behavioral  
 4-21 health authority region; and

4-22 (4) military service members, veterans, and immediate  
 4-23 family members of military service members and veterans who  
 4-24 completed the veterans module or standard version of a mental  
 4-25 health first aid training program offered by the authority during  
 4-26 the preceding fiscal year categorized by local mental health  
 4-27 authority or local behavioral health authority region and the  
 4-28 training program completed.

4-29 (b) Not later than December 1 of each year, the commission  
 4-30 [~~department~~] shall compile the information submitted by local  
 4-31 mental health authorities or local behavioral health authorities as  
 4-32 required by Subsection (a) and submit a report to the legislature  
 4-33 containing:

4-34 (1) the number of authority employees and contractors  
 4-35 trained as mental health first aid trainers during the preceding  
 4-36 fiscal year, the number of trainers who left the program for any  
 4-37 reason during the preceding fiscal year, and the number of active  
 4-38 trainers;

4-39 (2) the number of [~~university employees,~~] school  
 4-40 district employees[~~7~~] and contractors, school resource officers,  
 4-41 open-enrollment charter school employees and contractors, private  
 4-42 school employees and contractors, and employees and contractors of  
 4-43 an institution of higher education who completed a mental health  
 4-44 first aid training program provided by an authority during the  
 4-45 preceding fiscal year categorized by:

4-46 (A) local mental health authority region or local  
 4-47 behavioral health authority region;

4-48 (B) [~~university or~~] school district,  
 4-49 open-enrollment charter school, private school, and institution of  
 4-50 higher education, as applicable; [7] and

4-51 (C) category of personnel;

4-52 (3) the number of child-care facility employees and  
 4-53 contractors, youth, individuals with direct and recurring contact  
 4-54 with students, first responders, judges, and attorneys  
 4-55 [~~individuals who are not university employees, school district~~  
 4-56 ~~employees, or school resource officers]~~ who completed a mental  
 4-57 health first aid training program provided by an authority during  
 4-58 the preceding fiscal year categorized by local mental health  
 4-59 authority or local behavioral health authority region;

4-60 (4) the number of military service members, veterans,  
 4-61 and immediate family members of military service members and  
 4-62 veterans who completed the veterans module or standard version of a  
 4-63 mental health first aid training program provided by an authority  
 4-64 during the preceding fiscal year categorized by local mental health  
 4-65 authority or local behavioral health authority region and the  
 4-66 training program completed; and

4-67 (5) a detailed accounting of expenditures of money  
 4-68 appropriated for the purpose of implementing this subchapter.

4-69 (c) The commission [~~department~~] shall develop and provide

5-1 to local mental health authorities and local behavioral health  
5-2 authorities a form to be used for the reporting of information  
5-3 required under Subsection (a), including the reporting of each  
5-4 category of personnel described by that subsection.

5-5 SECTION 6. Section 1001.206, Health and Safety Code, is  
5-6 amended to read as follows:

5-7 Sec. 1001.206. LIABILITY. A person who has completed a  
5-8 mental health first aid training program offered by a local mental  
5-9 health authority or local behavioral health authority under this  
5-10 subchapter and who in good faith attempts to assist an individual  
5-11 experiencing a mental health crisis is not liable in civil damages  
5-12 for an act performed in attempting to assist the individual unless  
5-13 the act is wilfully or wantonly negligent.

5-14 SECTION 7. The following sections of the Health and Safety  
5-15 Code are repealed:

5-16 (1) Section 1001.2015; and

5-17 (2) Section 1001.2031.

5-18 SECTION 8. This Act takes effect September 1, 2023.

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