

By: Thierry

H.B. No. 2868

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. The board of trustees of a school district or the
4 governing body of an open-enrollment charter school that has
5 established a local health education and health care advisory
6 council under Section 38.058, Education Code, shall appoint to the
7 council a mental health professional licensed in this state, as
8 required by the change in law made by this Act, as soon as
9 practicable and not later than January 1, 2024.

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