

By: Ramos

H.B. No. 4200

A BILL TO BE ENTITLED

AN ACT

relating to the provision of services by nonphysician mental health professionals at school districts.

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

SECTION 1. Section 38.0101, Education Code, is amended to read as follows:

Sec. 38.0101. [~~AUTHORITY TO EMPLOY OR CONTRACT WITH~~] NONPHYSICIAN MENTAL HEALTH PROFESSIONALS [~~PROFESSIONAL~~]. (a) A school district shall [~~may~~] employ or contract with one or more nonphysician mental health professionals to provide services at each district campus. A school district must provide at least one nonphysician mental health professional for every 600 students at each campus.

(b) A nonphysician mental health professional providing services under this section shall implement a comprehensive mental health program for the campus the professional serves and spend at least 80 percent of the professional's total work time providing direct or indirect mental health services to students. The commissioner shall adopt rules as necessary to administer this subsection.

(c) In this section, "nonphysician mental health professional" means:

(1) a psychologist licensed to practice in this state and designated as a health-service provider;

1           (2) a registered nurse with a master's or doctoral  
2 degree in psychiatric nursing;

3           (3) a licensed clinical social worker;

4           (4) a professional counselor licensed to practice in  
5 this state; or

6           (5) a marriage and family therapist licensed to  
7 practice in this state.

8           (d) Each school district must demonstrate to the agency  
9 compliance with this section not later than August 1, 2025. This  
10 subsection expires August 1, 2026.

11           SECTION 2. This Act takes effect September 1, 2023.