

By: Menendez

H.B. No. 1232

A BILL TO BE ENTITLED

AN ACT

1
2 relating to establishing a local behavioral health intervention
3 pilot project.

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

5 SECTION 1. (a) The Department of State Health Services
6 shall establish a local behavioral health intervention pilot
7 project for children in Bexar County.

8 (b) In implementing the pilot project, the department shall
9 require a local mental health authority serving Bexar County to:

10 (1) enter into a memorandum of understanding or other
11 agreement with state and local agencies that work directly with
12 children, including the Department of State Health Services, the
13 Department of Family and Protective Services, the Texas Youth
14 Commission, and the Texas Education Agency, to:

15 (A) permit collaboration in the provision of
16 uniform early intervention behavioral health services to children;

17 (B) identify children, with written consent from
18 parents or guardians, who are at risk of placement in an alternative
19 setting for behavior management, in accordance with behavioral
20 standards established by the Texas Education Agency and local
21 school district policy, or intervention by the juvenile justice or
22 child protective services systems; and

23 (C) with written consent from parents or
24 guardians, divert children identified under Paragraph (B) to a

1 system of care services to reduce gaps or inefficiencies in the
2 provision of care;

3 (2) develop, in collaboration with the state and local
4 agencies, a best practices plan regarding:

5 (A) informed consent and confidentiality
6 practices;

7 (B) uniform behavioral health screening for
8 children;

9 (C) uniform referral processes between systems
10 and agencies related to behavioral health services;

11 (D) the delivery of early intervention and
12 treatment services; and

13 (E) an information exchange process between
14 agencies to facilitate faster identification and assessment of
15 behavioral health problems and integrate service delivery;

16 (3) identify outcome measures that may be used to
17 measure the efficiency of coordination; and

18 (4) ensure that an extensive listing of providers is
19 available for children and their families, including information
20 regarding the services offered and the behavioral health issues
21 addressed by the provider.

22 (c) In order to facilitate the pilot project and identify
23 children in accordance with Subsection (b)(1)(B), a local mental
24 health authority serving Bexar County, the Department of State
25 Health Services, the Department of Family and Protective Services,
26 the Texas Youth Commission, the Texas Education Agency, and local
27 school districts may, with the consent of the child's parents or

1 guardians:

2 (1) disclose information relating to a child,
3 including information concerning the child's identity, needs,
4 treatment, social, criminal, and educational history, probation or
5 supervision status and compliance with the conditions of the
6 child's probation or supervision, and medical or mental health
7 history, if the disclosure serves a purpose of the pilot project;

8 (2) accept information relating to a child that serves
9 a purpose of the pilot project, regardless of whether other state
10 law makes that information confidential; and

11 (3) before sharing information under this section,
12 enter into a memorandum of understanding with another local or
13 state governmental entity to specify:

14 (A) the types of information that may be
15 exchanged among agencies under this section without violating any
16 applicable provisions of federal law, including any federal funding
17 requirements; and

18 (B) the protocols for information sharing,
19 including methods for ensuring the continued protection of
20 confidential information by the recipient of the information.

21 (d) This section does not affect the confidential status of
22 the information being shared.

23 (e) The department may use funds for crisis prevention
24 programs in collaboration with funds from local authorities,
25 including school districts and criminal justice agencies, to
26 implement the pilot project.

27 (f) Not later than December 1, 2010, the local mental health

1 authority involved in the pilot project shall submit a report to the
2 department regarding the local behavioral health intervention
3 pilot project, including:

4 (1) a comprehensive analysis of the efficacy of the
5 project; and

6 (2) the local authority's findings and
7 recommendations.

8 (g) This section expires September 1, 2011.

9 SECTION 2. This Act takes effect September 1, 2009.