

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.