

## **BILL ANALYSIS**

H.B. 2392  
By: Menéndez  
Defense & Veterans' Affairs  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Peer-to-Peer mental health services for veterans are based on a model of formal and informal discussions that allow combat veterans to talk to other combat veterans. Interested parties note that these peers can relate to veterans with experience that is rarely found among non-military peers. Such parties assert that legislative action is necessary to enhance the mental health intervention program for veterans administered by the Department of State Health Services (DSHS) as the number of interested peer volunteers increases and the program expands its network across the state. H.B. 2392 seeks to expand the efficacy of the mental health intervention program for veterans administered by DSHS.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that rulemaking authority is expressly granted to the executive commissioner of the Health and Human Services Commission in SECTION 2 of this bill.

### **ANALYSIS**

Section 531.0055, Government Code, as amended by Chapter 198 (H.B. 2292), Acts of the 78th Legislature, Regular Session, 2003, expressly grants to the executive commissioner of the Health and Human Services Commission all rulemaking authority for the operation of and provision of services by the health and human services agencies. Similarly, Sections 1.16-1.29, Chapter 198 (H.B. 2292), Acts of the 78th Legislature, Regular Session, 2003, provide for the transfer of a power, duty, function, program, or activity from a health and human services agency abolished by that act to the corresponding legacy agency. To the extent practical, this bill analysis is written to reflect any transfer of rulemaking authority and to update references as necessary to an agency's authority with respect to a particular health and human services program.

H.B. 2392 amends the Health and Safety Code to make the Department of State Health Services (DSHS) responsible for implementing a mental health program for veterans and requires DSHS to develop a mental health intervention program for veterans that includes peer-to-peer counseling; access to licensed mental health professionals for volunteer coordinators and peers; training approved by DSHS for peers; technical assistance for volunteer coordinators and peers; grants to regional and local organizations providing services for the program; recruitment, retention, and screening of community-based therapists; suicide prevention training for volunteer coordinators and peers; and veteran jail diversion services, including veterans courts. The bill requires DSHS to solicit and ensure that specialized training is provided to persons who are peers and who want to provide peer-to-peer counseling or other peer-to-peer services under the program and authorizes the executive commissioner of the Health and Human Services Commission to adopt rules necessary to implement the program. The bill defines "peer" to mean a person who is a veteran or a veteran's family member.

H.B. 2392 requires DSHS to establish a grant program through which DSHS may award grants to regional and local organizations for the delivery of programs or services relating to the mental health program for veterans. The bill requires a grant awarded under its provisions to emphasize

direct services to veterans provided by peers, to leverage additional local resources to provide funding for programs or services for veterans, and to increase the capacity of the mental health program for veterans but prohibits such a grant from being used to supplant existing expenditures associated with programs or services within DSHS. The bill requires DSHS, not later than December 1 of each year, to submit a report to the governor and the legislature that includes the number of veterans who received services through the mental health program for veterans, the number of peers and volunteer coordinators trained, a summary of the grants awarded and services provided through those grants, an evaluation of the services provided by the program, and recommendations for program improvements. The bill requires DSHS, not later than January 1, 2014, to modify the mental health intervention program for veterans as required by the bill's provisions.

H.B. 2392 repeals Section 1001.076, Health and Safety Code, relating to a mental health program for veterans.

**EFFECTIVE DATE**

September 1, 2013.