

## **BILL ANALYSIS**

Senate Research Center

S.B. 421  
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Health & Human Services  
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Enrolled

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

S.B. 421 maintains and renames a sustainable state interagency group, informed by family and community perspectives, to provide the legislature and state child-serving agencies with recommendations on improving children's mental health services and supports across systems.

In 1999, the 76th Legislature created the Texas Integrated Funding Initiative (TIFI) within the Health and Human Services Commission (HHSC) to provide communities with training, technical assistance, and minimal funding to develop local systems of care for children and youth with serious emotional disturbance and provided funding for four community TIFI sites. The TIFI Consortium, comprised of state child-serving agencies, community representatives, families, and advocates, was established to assist HHSC in system of care efforts.

Several TIFI communities went on to receive multi-year grants from the Substance Abuse and Mental Health Services Administration (SAMHSA) to support their system of care efforts. System of care communities were selected to demonstrate the Home and Community-Based Medicaid 1915c Waiver, named Youth Empowerment Services (YES), to provide intensive traditional and non-traditional coordinated services and supports in the community to children and youth with serious mental health needs.

In 2011, however, the 82nd Legislature discontinued the funding that supported the TIFI Consortium.

Since then, SAMHSA has moved from investing in community infrastructure to promoting the expansion of system of care approach statewide. In the Fall of 2011, SAMHSA awarded HHSC a one year planning grant with the goal to create a strategic plan for the statewide expansion of the system of care framework for children and youth with serious emotional disturbances and their families. The TIFI Consortium continued for one more year, with the funding from this grant, and served as the Steering Team to guide the development of the Texas System of Care Strategic Plan that was released in late 2012.

The Texas System of Care Strategic Plan recommends that the TIFI Consortium, set to dissolve in 2013, evolve into the Texas System of Care Consortium, retaining the locus of authority, responsibility, and oversight for system of care in Texas.

The system of care approach is widely recommended to better plan for and serve children and youth with serious emotional disturbance, helping to keep them in their homes, with their families, and out of more restrictive placements such as hospitalization, foster care, or juvenile justice.

S.B. 421 creates a Texas System of Care Consortium that would retain the locus of authority, responsibility, and oversight for system of care in Texas.

S.B. 421 amends current law relating to the Texas System of Care and the development of local mental health systems of care for certain children.

## **RULEMAKING AUTHORITY**

Rulemaking authority previously granted to the Health and Human Services Commission is rescinded in SECTION 5 (Sections 531.252 and 531.256, Government Code) of this bill.

## **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends the heading to Subchapter G-1, Chapter 531, Government Code, to read as follows:

### **SUBCHAPTER G-1. DEVELOPING LOCAL MENTAL HEALTH SYSTEMS OF CARE FOR CERTAIN CHILDREN**

SECTION 2. Amends Section 531.251, Government Code, as follows:

Sec. 531.251. New heading: TEXAS SYSTEM OF CARE CONSORTIUM. (a) Requires the Health and Human Services Commission (HHSC) to form a consortium to have responsibility for and oversight over a state system of care to develop local mental health systems of care in communities for minors who are receiving residential mental health services or inpatient mental health hospitalization or who are at risk of being removed from the minor's home and placed in a more restrictive environment to receive mental health services, including an inpatient mental health hospital, a residential treatment facility, or a facility or program operated by the Department of Family and Protective Services (DFPS) or an agency that is part of the juvenile justice system. Deletes existing text requiring HHSC to form a consortium to develop criteria for and implement the expansion of the Texas Integrated Funding Initiative (TIFI) pilot project and to develop local mental health care systems in communities for minors who are receiving residential mental health services or who are at risk of placement to receive mental health services.

(a-1) Creates this subsection from existing text and requires that the consortium include:

(1) representatives of the Department of State Health Services (DSHS), DFPS, HHSC's Medicaid program, Texas Education Agency (TEA), Texas Juvenile Justice Department, and Texas Correctional Office on Offenders with Medical or Mental Impairments (TCOOMMI);

(2) one youth or young adult who has a serious emotional disturbance and has received mental health services and supports; or

(3) a family member of a youth or young adult described by Subdivision (2).

Deletes existing text requiring that the consortium include representatives of the Texas Department of Mental Health and Retardation (TXMHMR), Department of Protective and Regulatory Services, TEA, Texas Youth Commission, Texas Juvenile Probation Commission, and Texas Commission on Alcohol and Drug Abuse and an equal number of family advocates.

(a-2) Authorizes the consortium to coordinate with the Children's Policy Council for the purposes of including the representation required by Subsections (a-1)(2) and (3).

(b) Requires HHSC and the consortium to:

(1) maintain a comprehensive plan for the delivery of mental health services and supports to a minor and a minor's family using a system of care framework, including best practices in the financing, administration, governance, and delivery of those services;

(2) implement strategies to expand the use of system of care practices in the planning and delivery of services throughout the state;

(3) identify appropriate local, state, and federal funding sources to finance infrastructure and mental health services needed to support state and local system of care efforts; and

(4) develop an evaluation system to measure outcomes of state and local system of care efforts.

Deletes existing text requiring HHSC and the consortium to develop a model and guidelines for the delivery of mental health services and support to a minor, initiated before the person's 18th birthday, including best practices in the financing, administration, governance, and delivery of those services; to establish a plan to expand TIFI so that TIFI may operate in up to six communities; and to identify appropriate sources of state and federal funding to finance mental health services under TIFI from a central fund for expansion communities.

(b-1) Requires the consortium, not later than November 1 of each even-numbered year, to submit a report to the legislature and the Council on Children and Families that contains an evaluation of the outcomes of the Texas System of Care and recommendations on strengthening state policies and practices that support local systems of care, including recommendations relating to:

(1) methods to increase access to effective and coordinated services and supports;

(2) methods to increase community capacity to implement local systems of care through training and technical assistance;

(3) use of cross-system performance and outcome data to make informed decisions at individual and system levels; and

(4) strategies to maximize public and private funding at the local, state, and federal levels.

SECTION 3. Amends Section 531.255(a), Government Code, to require HHSC and DSHS to jointly monitor the progress of the communities that implement a local system of care, including monitoring cost avoidance and the net savings that result from implementing a local system of care, rather than requiring HHSC and TXMHMR to jointly monitor the progress of the expansion communities.

SECTION 4. Amends Section 531.257, Government Code, as follows:

Sec. 531.257. New heading: TECHNICAL ASSISTANCE FOR PROJECTS. Authorizes HHSC to provide technical assistance to a community that implements a local system of care, rather than authorizes HHSC to provide technical assistance to a community that receives a grant under Section 531.256 (Mental Health Services for Youth Grants).

SECTION 5. Repealers: Sections 531.252 (Proposals for Expansion Communities), 531.253 (Selection of Expansion Communities), 531.254 (System Develop Collaboration), 531.255(b) (relating to requiring HHSC, the consortium, and the expansion communities to collaborate to develop a system to evaluate the success of the expansion communities in achieving certain outcome goals), (c) (relating to requiring each expansion community to identify the baseline information to compare with the information on outcomes in evaluating the achievements of the community), and (d) (relating to requiring an expansion community to use instruments to measure outcomes that have known reliability and validity and that allow comparisons with

similar projects in other states and with national evaluation efforts), 531.256 (Mental Health Services for Youth Grants), and 531.258 (Statewide Evaluation System), Government Code.

SECTION 6. Effective date: September 1, 2013.