

By: Coleman

H.B. No. 3327

Substitute the following for H.B. No. 3327:

By: Kolkhorst

C.S.H.B. No. 3327

A BILL TO BE ENTITLED

1 AN ACT

2 relating to a list of mental health, substance abuse, and suicide
3 prevention programs that may be selected for implementation by
4 public schools.

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

6 SECTION 1. The heading to Subchapter O-1, Chapter 161,
7 Health and Safety Code, is amended to read as follows:

8 SUBCHAPTER O-1. [~~EARLY~~] MENTAL HEALTH, SUBSTANCE ABUSE,
9 [INTERVENTION] AND [PREVENTION OF] YOUTH SUICIDE

10 SECTION 2. The heading to Section 161.325, Health and
11 Safety Code, is amended to read as follows:

12 Sec. 161.325. [~~EARLY~~] MENTAL HEALTH PROMOTION AND
13 INTERVENTION, SUBSTANCE ABUSE PREVENTION AND INTERVENTION, AND
14 SUICIDE PREVENTION.

15 SECTION 3. Section 161.325, Health and Safety Code, is
16 amended by amending Subsections (a), (b), (d), (e), and (i) and
17 adding Subsections (a-1) and (a-2) to read as follows:

18 (a) The department, in coordination with the Texas
19 Education Agency and regional education service centers, shall
20 provide and annually update a list of recommended best
21 practice-based programs in the areas specified under Subsection
22 (a-1) [~~early mental health intervention and suicide prevention~~
23 programs] for implementation in public elementary, junior high,
24 middle, and high schools within the general education

1 setting. Each school district may select from the list a program
2 or programs appropriate for implementation in the district.

3 (a-1) The list must include programs in the following areas:

4 (1) early mental health intervention;

5 (2) mental health promotion and positive youth
6 development;

7 (3) substance abuse prevention;

8 (4) substance abuse intervention; and

9 (5) suicide prevention.

10 (a-2) The department, the Texas Education Agency, and each
11 regional education service center shall make the list easily
12 accessible on their websites.

13 (b) The programs on the list must include components that
14 provide for training counselors, teachers, nurses, administrators,
15 and other staff, as well as law enforcement officers and social
16 workers who regularly interact with students, to:

17 (1) recognize students at risk of committing suicide,
18 including students who are or may be the victims of or who engage in
19 bullying;

20 (2) recognize students displaying early warning signs
21 and a possible need for early mental health or substance abuse
22 intervention, which warning signs may include declining academic
23 performance, depression, anxiety, isolation, unexplained changes
24 in sleep or eating habits, and destructive behavior toward self and
25 others; and

26 (3) intervene effectively with students described by
27 Subdivision (1) or (2) by providing notice and referral to a parent

1 or guardian so appropriate action, such as seeking mental health or
2 substance abuse services, may be taken by a parent or guardian.

3 (d) The board of trustees of each school district may adopt
4 a policy concerning [~~early~~] mental health promotion and
5 intervention, substance abuse prevention and intervention, and
6 suicide prevention that:

7 (1) establishes a procedure for providing notice of a
8 recommendation for early mental health or substance abuse
9 intervention regarding a student to a parent or guardian of the
10 student within a reasonable amount of time after the identification
11 of early warning signs as described by Subsection (b)(2);

12 (2) establishes a procedure for providing notice of a
13 student identified as at risk of committing suicide to a parent or
14 guardian of the student within a reasonable amount of time after the
15 identification of early warning signs as described by Subsection
16 (b)(2);

17 (3) establishes that the district may develop a
18 reporting mechanism and may designate at least one person to act as
19 a liaison officer in the district for the purposes of identifying
20 students in need of early mental health or substance abuse
21 intervention or suicide prevention; and

22 (4) sets out available counseling alternatives for a
23 parent or guardian to consider when their child is identified as
24 possibly being in need of early mental health or substance abuse
25 intervention or suicide prevention.

26 (e) The policy must prohibit the use without the prior
27 consent of a student's parent or guardian of a medical screening of

1 the student as part of the process of identifying whether the
2 student is possibly in need of early mental health or substance
3 abuse intervention or suicide prevention.

4 (i) Nothing in this section is intended to interfere with
5 the rights of parents or guardians and the decision-making
6 regarding the best interest of the child. Policy and procedures
7 adopted in accordance with this section are intended to notify a
8 parent or guardian of a need for mental health or substance abuse
9 intervention so that a parent or guardian may take appropriate
10 action. Nothing in this section shall be construed as giving school
11 districts the authority to prescribe medications. Any and all
12 medical decisions are to be made by a parent or guardian of a
13 student.

14 SECTION 4. This Act takes effect September 1, 2013.