

By: Naishtat

H.B. No. 3684

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the Texas System of Care and the development of local
3 mental health systems of care for certain children.

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

5 SECTION 1. The heading to Subchapter G-1, Chapter 531,
6 Government Code, is amended to read as follows:

7 SUBCHAPTER G-1. DEVELOPING LOCAL MENTAL HEALTH [~~CARE~~] SYSTEMS OF
8 CARE FOR CERTAIN CHILDREN

9 SECTION 2. Section 531.251, Government Code, is amended to
10 read as follows:

11 Sec. 531.251. TEXAS SYSTEM OF CARE [~~PILOT PROJECT~~]
12 CONSORTIUM[~~, EXPANSION PLAN~~]. (a) The commission shall form a
13 consortium to have responsibility [~~develop criteria~~] for and
14 oversight over a state system of care [~~and implement the expansion~~
15 ~~of the Texas Integrated Funding Initiative pilot project and~~] to
16 develop local mental health systems of care [~~systems~~] in
17 communities for minors who are receiving residential mental health
18 services or inpatient mental health hospitalization or who are at
19 risk of being removed from the minor's home and placed in a more
20 restrictive environment to receive mental health services,
21 including an inpatient mental health hospital, a residential
22 treatment facility, or a facility or program operated by the
23 Department of Family and Protective Services or an agency that is
24 part of the juvenile justice system [~~placement to receive mental~~

1 ~~health services~~].

2 (a-1) The consortium must include:

3 (1) representatives of the ~~[Texas]~~ Department of State
4 ~~[Mental]~~ Health Services ~~[and Mental Retardation]~~, Department of
5 Family and Protective ~~[and Regulatory]~~ Services, Health and Human
6 Services Commission's medicaid program, Texas Education Agency,
7 ~~[Texas Youth Commission,]~~ Texas Juvenile Justice Department
8 ~~[Probation Commission]~~, and Texas Correctional Office on Offenders
9 with Medical or Mental Impairments;

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

13 (3) a family member of a youth or young adult described
14 by Subdivision (1) ~~[Commission on Alcohol and Drug Abuse and an~~
15 equal number of family advocates].

16 (a-2) The consortium may coordinate with the Children's
17 Policy Council for the purposes of including the representation
18 required by Subsections (a-1)(2) and (3).

19 (b) The commission and the consortium shall:

20 (1) maintain ~~[develop]~~ a comprehensive plan ~~[model and~~
21 guidelines] for the delivery of mental health services and supports
22 ~~[support]~~ to a minor and a minor's family using a system of care
23 framework ~~[, initiated before the person's 18th birthday]~~,
24 including best practices in the financing, administration,
25 governance, and delivery of those services;

26 (2) implement strategies ~~[establish a plan]~~ to expand
27 the use of system of care practices ~~[Texas Integrated Funding~~

1 ~~Initiative so that the initiative may operate]~~ in the planning and
2 delivery of services throughout the state ~~[up to six communities];~~
3 ~~[and]~~

4 (3) identify appropriate local, ~~[sources of]~~ state,
5 and federal funding sources to finance infrastructure and mental
6 health services needed to support state and local system of care
7 efforts; and

8 (4) develop an evaluation system to measure outcomes
9 of state and local system of care efforts ~~[under the initiative from~~
10 ~~a central fund for expansion communities].~~

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

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

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

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

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

26 SECTION 3. Section 531.252, Government Code, is amended to
27 read as follows:

1 Sec. 531.252. PROPOSALS FOR LOCAL SYSTEM OF CARE GRANTS
2 ~~[EXPANSION COMMUNITIES]~~. (a) The commission by rule may ~~[shall]~~
3 establish a request-for-proposal process to select ~~[expansion]~~
4 communities to implement a local system of care as funding is
5 available ~~[participate in the initiative]~~.

6 (b) The commission and the consortium shall develop
7 criteria to evaluate proposals for selecting ~~[expansion]~~
8 communities ~~[to participate in the expanded initiative]~~. The
9 criteria must:

10 (1) ~~[reflect the underlying principles of the Texas~~
11 ~~Integrated Funding Initiative,~~

12 ~~[(2)]~~ emphasize services that are provided in the
13 community, strengths-based, culturally and linguistically
14 competent, family-driven ~~[family-centered]~~, and youth-guided
15 ~~[seamless]~~;

16 (2) ~~[(3)]~~ identify populations to be served under the
17 proposals;

18 (3) ~~[(4)]~~ establish ~~[for the expansion communities]~~
19 service outcome goals for the grant communities;

20 (4) require demonstration of the capacity to collect
21 data related to minors who are receiving ~~[residential]~~ mental
22 health services in residential facilities or inpatient mental
23 health hospitals or who are at risk of residential placement to
24 receive mental health services or inpatient mental health
25 hospitalization, including data relating to whether the system of
26 care is:

27 (A) decreasing incidents of abuse or neglect of

1 the minors;

2 (B) reducing recidivism rates of juvenile
3 offenders;

4 (C) increasing school attendance and progress of
5 the minors;

6 (D) reducing the rate of placement of the minors
7 in residential treatment or inpatient mental health
8 hospitalization;

9 (E) increasing the rate of reunification of the
10 minors with their families;

11 (F) improving the emotional, behavioral, and
12 social adjustment of the minors; and

13 (G) improving the stability of placements of the
14 minors;

15 (5) provide for locations of participating
16 communities in urban, suburban, and rural settings; and

17 (6) specify information that must be provided in a
18 proposal for a community, including:

19 (A) information on the costs of the activities
20 proposed; and

21 (B) the characteristics of minors in the
22 community who are in residential care or inpatient mental health
23 hospitals for mental health services or who are at risk of being
24 placed in residential care or inpatient mental health hospitals to
25 receive mental health services.

26 (c) Populations to be served, as identified under
27 Subsection (b)(2) [~~(b)(3)~~], must include youth at risk of

1 residential placement, inpatient mental health hospitalization,
2 incarceration, or reincarceration because of severe emotional
3 disturbance, including:

4 (1) students in a special education program as a
5 result of emotional disturbance under Subchapter A, Chapter 29,
6 Education Code; and

7 (2) youth with a severe emotional disturbance and a
8 co-occurring:

9 (A) substance abuse disorder; or

10 (B) developmental disability.

11 ~~[(d) Outcome criteria established under Subsection (b)(4)~~
12 ~~must be consistent with outcome measures used in evaluations of~~
13 ~~individualized children's services projects in other states.]~~

14 SECTION 4. Section 531.255, Government Code, is amended to
15 read as follows:

16 Sec. 531.255. EVALUATION. ~~[(a)]~~ The commission and the
17 ~~[Texas]~~ Department of State ~~[Mental]~~ Health Services ~~[and Mental~~
18 ~~Retardation]~~ jointly shall monitor the progress of the grant
19 ~~[expansion]~~ communities, including monitoring cost avoidance and
20 the net savings that result from implementing a local system of
21 care.

22 SECTION 5. Section 531.257, Government Code, is amended to
23 read as follows:

24 Sec. 531.257. TECHNICAL ASSISTANCE FOR GRANT PROJECTS. The
25 commission may provide technical assistance to a community that
26 receives a grant under Section 531.252 ~~[531.256]~~.

27 SECTION 6. Sections 531.253, 531.254, 531.255(b), (c), and

1 (d), 531.256, and 531.258, Government Code, are repealed.

2 SECTION 7. This Act takes effect September 1, 2013.