

By: Coleman

H.B. No. 3853

A BILL TO BE ENTITLED

AN ACT

relating to the availability of certain behavioral health professionals at certain public schools.

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

SECTION 1. Subchapter Z, Chapter 33, Education Code, is amended by adding Section 33.910 to read as follows:

Sec. 33.910. BEHAVIORAL HEALTH PROFESSIONAL. (a) In this section, "behavioral health professional" means:

(1) a licensed specialist in school psychology licensed under Chapter 501, Occupations Code;

(2) a licensed professional counselor licensed under Chapter 503, Occupations Code;

(3) a licensed clinical social worker licensed under Chapter 505, Occupations Code; or

(4) a school counselor with an appropriate certificate or permit issued under Subchapter B, Chapter 21.

(b) A school district that receives additional state aid under Section 42.2519 shall:

(1) assign a behavioral health professional to each campus in the district; or

(2) ensure the services of a behavioral health professional are provided to students at each campus in the district through a contract with one or more behavioral health professionals or a private or nonprofit organization that employs

1 or provides the services of behavioral health professionals.

2 (c) A school district may not require a behavioral health
3 professional assigned under this section to administer assessment
4 instruments or provide other assistance in connection with
5 assessment instruments.

6 SECTION 2. Subchapter E, Chapter 42, Education Code, is
7 amended by adding Section 42.2519 to read as follows:

8 Sec. 42.2519. ADDITIONAL STATE AID FOR BEHAVIORAL HEALTH
9 PROFESSIONALS. (a) For each school year, the commissioner may
10 provide additional state aid to each school district in an amount,
11 as determined by the commissioner, sufficient to assist the
12 district in employing or contracting for the services of behavioral
13 health professionals under Section 33.910, if funds are available
14 for that purpose.

15 (b) The commissioner shall adopt rules as necessary to
16 administer this section.

17 SECTION 3. This Act applies beginning with the 2018-2019
18 school year.

19 SECTION 4. This Act takes effect September 1, 2017.