

BILL ANALYSIS

C.S.H.B. 1312
By: Moody
Public Education
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Concerns have been raised that, while public school districts may create partnerships with outside entities for behavioral and mental health support for students, their efforts are hampered by the lack of a structure for the provision of mental health services within a school setting and an inability to bill Medicaid for such services. C.S.H.B. 1312 seeks to address these concerns by authorizing districts to contract with a local mental health authority to deliver direct services on campus and by providing a mechanism under which districts could recover some of the costs through Medicaid.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 1312 amends the Education Code to authorize a public school district to contract with a local mental health authority to provide mental health services on a district campus. The bill authorizes such an authority providing such services that conducts a mental health or behavioral health assessment of a student or provides mental health or behavioral health services to a student, at the request of the student's parent or guardian, to provide to the student's primary care physician the results of the assessment conducted and of any services provided, as applicable. The bill requires the Health and Human Services Commission to allow a district to enroll as a provider under Medicaid to provide mental health services to district students who are Medicaid recipients.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2019.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 1312 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute changes the requirement for an authority to provide, on request, the results of any assessment conducted and any services provided to an authorization for the authority to do so.

The substitute includes a procedural provision relating to a state agency request for a federal waiver or authorization.