86R8924 JG-D

By:  Thompson of Harris H.B. No. 10

A BILL TO BE ENTITLED

AN ACT

relating to grants and programs for researching and treating behavioral health and psychiatric issues.

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

SECTION 1.  Section 58A.024, Education Code, is amended by adding Subsection (a-1) to read as follows:

(a-1)  The board shall award a supplemental grant to a new or existing graduate medical education program to enable the program to increase the number of residency positions, including fellowship positions, leading to a medical specialty in the diagnosis and treatment of psychiatric and associated behavioral health issues affecting children and adolescents.

SECTION 2.  Section 58A.0245(a), Education Code, is amended to read as follows:

(a)  If the board determines that the number of first-year residency positions proposed by eligible applicants under Sections 58A.023 and 58A.024 exceeds the number of first-year residency positions for which grant funding under those sections is appropriated, in awarding grants under those sections the board may not award a supplemental grant described by Section 58A.024(a-1) but shall otherwise prioritize the awarding of new grants to medical specialties determined by the board to be at critical shortage levels.

SECTION 3.  Chapter 61, Education Code, is amended by adding Subchapter LL to read as follows:

SUBCHAPTER LL. CHILD AND ADOLESCENT

PSYCHIATRIC NURSING GRANT PROGRAM

Sec. 61.9851.  DEFINITIONS. In this subchapter:

(1)  "Advanced practice registered nurse" has the meaning assigned to that term by Section 301.152, Occupations Code.

(2)  "Advanced practice registered nursing program" or "nursing program" means an educational program offered by a public or private institution of higher education to prepare students for board certification as advanced practice registered nurses.

(3)  "Child-adolescent psychiatrist" means a licensed physician who specializes in the diagnosis and treatment of psychiatric and associated behavioral health issues affecting children and adolescents.

(4)  "Grant program" means the child and adolescent psychiatric nursing grant program established under this subchapter.

Sec. 61.9852.  ESTABLISHMENT; PURPOSE. (a) A child and adolescent psychiatric nursing grant program is established.

(b)  The board shall administer the grant program to award grants to advanced practice registered nursing programs to enable those programs to:

(1)  support the salaries of a program's faculty and staff;

(2)  increase the number of enrollments and graduations of students who seek to become advanced practice registered nurses specializing in child and adolescent psychiatric nursing;

(3)  recruit child-adolescent psychiatrists to help provide the clinical instruction necessary for those students to prepare for board certification in that specialty; or

(4)  establish or expand the number of postgraduate residency and fellowship training positions for advanced practice registered nurses to receive specialized training in child and adolescent psychiatric nursing.

Sec. 61.9853.  GRANTS. (a) A grant awarded to a nursing program under this subchapter:

(1)  must be expended exclusively on costs related to the purpose for which the grant is awarded under Section 61.9852(b);

(2)  is contingent on the advanced practice registered nursing program's having been approved as an advanced practice registered nursing program by the board or the Texas Board of Nursing, as appropriate; and

(3)  is contingent on the nursing program's being in good standing with the Texas Board of Nursing or other accrediting body.

(b)  In addition to the requirements of Subsection (a), a grant awarded for a purpose described by Section 61.9852(b)(2) is contingent on the nursing program's ability to enroll and graduate additional students, including having the necessary classroom space and clinical slots.

(c)  The nursing program shall return to the board any money not expended exclusively on the costs described by Subsection (a)(1).

Sec. 61.9854.  APPLICATION PROCESS. (a) The board by rule shall establish a process under which a public or private institution of higher education that offers an advanced practice registered nursing program may apply for a grant under this subchapter and the board, contingent on appropriations of money for the grants, selects one or more applicants to receive a grant based on criteria established by board rule.  The criteria must include the institution's agreement that the institution's nursing program will use the grant money for the purpose for which the grant is awarded under Section 61.9852(b).

(b)  A grant application under this subchapter must require the institution applying for a grant to:

(1)  identify benchmarks for determining adequate and timely progress toward achieving the purpose for which the grant is awarded under Section 61.9852(b);

(2)  as applicable, state:

(A)  with respect to students who seek to become advanced practice registered nurses specializing in child and adolescent psychiatric nursing, the number of additional students that the institution's nursing program intends to enroll and the number of additional students that the program intends to graduate;

(B)  the number of child-adolescent psychiatrists the institution intends to recruit to help provide the clinical instruction necessary for students described by Paragraph (A); or

(C)  the number of postgraduate residency or fellowship positions for specialized training in child or adolescent psychiatric nursing that the institution's nursing program intends to establish or expand for advanced practice registered nurses; and

(3)  state the amount of grant money requested.

(c)  The board may negotiate changes to the application before approving the application.

(d)  If the board determines that a nursing program has failed to make adequate and timely progress toward achieving the purpose for which the grant was awarded, the board may:

(1)  require the institution offering the nursing program to return any unearned grant money awarded to that program under this subchapter;

(2)  withhold future grant awards that would otherwise be made under this subchapter in accordance with the approved application;

(3)  renegotiate the terms of the approved application; or

(4)  rescind approval of the application.

Sec. 61.9855.  ADMINISTRATION. The board shall adopt rules for the administration of the grant program.

Sec. 61.9856.  GRANTS, GIFTS, AND DONATIONS. In addition to funds appropriated by the legislature, the board may solicit, receive, and spend grants, gifts, and donations from public or private sources for the purposes of this subchapter.

Sec. 61.9857.  ANNUAL REPORT. Each institution of higher education that has an advanced practice registered nursing program shall submit an annual report to the board detailing its strategy for achieving the purpose for which the grant was awarded.

Sec. 61.9858.  DISBURSEMENT AND ACCOUNTING OF APPROPRIATED FUNDS. (a) The board shall adopt procedures for assuring that grants awarded under this subchapter are:

(1)  distributed in a timely manner, including the forfeiture and reallocation of money if an institution fails to provide in a timely manner the information required for the money to be disbursed and if that failure prevents the timely disbursement of money to other institutions; and

(2)  expended on the advanced practice registered nursing program by institutions receiving the money.

(b)  The procedures adopted under Subsection (a) must require each advanced practice registered nursing program that receives money to file an annual report with the board accounting for all money received.

Sec. 61.9859.  ADMINISTRATIVE COSTS. A reasonable amount, not to exceed five percent, of the money appropriated by the legislature for the purposes of this subchapter may be used by the board to pay administrative costs of implementing this subchapter.

SECTION 4.  Subtitle E, Title 2, Health and Safety Code, is amended by adding Chapter 104A to read as follows:

CHAPTER 104A. TEXAS BEHAVIORAL HEALTH RESEARCH INSTITUTE

Sec. 104A.001.  DEFINITIONS. In this chapter:

(1)  "Child-adolescent psychiatrist" means a physician who specializes in the diagnosis and treatment of psychiatric and associated behavioral health issues affecting children and adolescents.

(2)  "Child psychiatry access line" means a telephonic or other electronic system operated to connect health care professionals with child-adolescent psychiatrists for peer-to-peer consultation regarding the treatment of children with behavioral health concerns through telepsychiatry.

(3)  "Direct care provider" means a health care professional, including a primary care physician, who is providing in-person health care services to a child.

(4)  "Institute" means the Texas Behavioral Health Research Institute.

(5)  "Social-emotional learning" means the process through which children develop and apply the knowledge, attitudes, and skills to understand and manage emotions, resolve conflicts, set and achieve goals, feel and show empathy for others, establish and maintain positive relationships, and make responsible decisions.

(6)  "Telepsychiatry" means the remote diagnosis and treatment of patients for psychiatric problems through videoconferencing or through various other means of electronic communication.

Sec. 104A.002.  ESTABLISHMENT; PURPOSE. The institute is established to create a centralized direction and vision for addressing child and adolescent behavioral health needs and to provide grants for researching and treating behavioral health issues.

Sec. 104A.003.  COMPOSITION OF INSTITUTE. (a) The institute is composed of the following members:

(1)  one representative from the commission, appointed by the governor;

(2)  one member of the public who represents pediatricians, appointed by the governor;

(3)  one member of the public who represents nonprofit organizations in this state that focus on mental health issues, appointed by the governor; and

(4)  the chair of the academic department of psychiatry from each of the following health-related institutions of higher education or a person designated to serve by the chair in the chair's place:

(A)  The University of Texas Health Science Center at Houston;

(B)  The University of Texas Health Science Center at San Antonio;

(C)  The University of Texas Southwestern Medical Center;

(D)  The University of Texas Medical Branch at Galveston;

(E)  The University of Texas M. D. Anderson Cancer Center;

(F)  The University of Texas Health Science Center at Tyler;

(G)  The Texas A&M University Health Science Center;

(H)  the University of North Texas Health Science Center at Fort Worth;

(I)  the Texas Tech University Health Sciences Center;

(J)  the Texas Tech University Health Sciences Center at El Paso;

(K)  the Dell Medical School at The University of Texas at Austin;

(L)  The University of Texas Rio Grande Valley School of Medicine; and

(M)  Baylor College of Medicine.

(b)  Service on the institute by a public officer or employee is an additional duty of the office or employment.

(c)  The institute shall elect a presiding member from among its membership.

(d)  The institute shall establish a schedule of regular meetings.

Sec. 104A.004.  POWERS AND DUTIES. (a) The institute shall undertake to improve the quality and accessibility of care in local communities by:

(1)  providing grants or other funding to the health-related institutions of higher education listed in Section 104A.003(a)(4) and community mental health providers to provide direct mental health care services and treatment;

(2)  establishing child psychiatry access lines for peer-to-peer consultation support for direct care providers who use telepsychiatry;

(3)  establishing partnerships between behavioral health professionals from the health-related institutions of higher education listed in Section 104A.003(a)(4) and direct care providers to encourage the use of child psychiatry access lines;

(4)  educating direct care providers about services and supports that child-adolescent psychiatrists provide;

(5)  creating a program to provide students access to telepsychiatry through the use of child psychiatry access lines to support public school personnel who are assisting students with behavioral health concerns; and

(6)  providing grants under the grant programs established under Sections 104A.005 and 104A.006.

(b)  The institute shall create a statewide plan to address behavioral health issues in schools that includes:

(1)  best practices in anti-bullying efforts;

(2)  best practices in social-emotional learning;

(3)  best practices for screening and triaging at-risk youth for behavioral health concerns;

(4)  suicide prevention programming;

(5)  opportunities for restorative justice; and

(6)  community education programs for parents, students, and the community that address behavioral health concerns.

(c)  The institute shall develop funding mechanisms that promote collaborative planning, implementation, workforce development, and research to ensure quality services for youth and families.

(d)  The institute shall prioritize the development of specific behavioral health services for high-risk populations, including:

(1)  children exposed to severe trauma, neglect, or loss;

(2)  victims of sex trafficking;

(3)  children and youth in foster care;

(4)  children at risk of adjudication; and

(5)  children with intellectual or developmental disabilities.

Sec. 104A.005.  BEHAVIORAL HEALTH RESEARCH AND TREATMENT GRANT PROGRAM. (a) The institute shall establish a behavioral health research and treatment grant program to provide grants to the health-related institutions of higher education listed in Section 104A.003(a)(4) to support research efforts regarding behavioral health issues, including research related to:

(1)  physical, structural, chemical, electrical, or genetic causes of behavioral health issues;

(2)  external factors that may result in behavioral health issues;

(3)  physical or other health issues that may affect behavioral health;

(4)  public health trends and strategies related to behavioral health;

(5)  new treatments, therapies, pharmaceuticals, medical interventions, or other solutions for addressing behavioral health issues;

(6)  substance use and addiction issues, including:

(A)  genetic determinants of addiction;

(B)  identification of and mitigation of substance use and addiction risk factors;

(C)  addiction recovery;

(D)  pain management strategies; and

(E)  prescription practices in this state; and

(7)  other behavioral health and addiction issues identified by the institute.

(b)  A health-related institution of higher education listed in Section 104A.003(a)(4) may apply for a grant under this section alone or in partnership with the institute or other state agency or another health-related institution of higher education to carry out research efforts described by Subsection (a).

Sec. 104A.006.  ADDICTION CRISIS GRANT PROGRAM. The institute shall create an addiction crisis grant program to provide grants to health-related institutions of higher education listed in Section 104A.003(a)(4) to:

(1)  research, develop, test, and disseminate new standards for prescribing opioid drugs;

(2)  teach the standards for prescribing opioid drugs described by Subdivision (1) at the health-related institutions of higher education and at any continuing or community education courses provided by the institution;

(3)  develop a workforce that specializes in substance use research and clinical care;

(4)  conduct research related to identifying:

(A)  addiction recovery methods that use new substance use treatment strategies, therapies, drugs, or telemedicine services;

(B)  barriers to the accessibility of evidence-based substance use medical treatments;

(C)  strategies and new treatment methods to reduce the effects of opioid drugs and other controlled substances on maternal mortality and morbidity rates in this state;

(D)  prevention techniques, policies, and outreach methods to reduce the use of opioid drugs and other controlled substances;

(E)  better pain management strategies for persons recovering from a substance use disorder;

(F)  ways to obtain better data related to substance use and ways to achieve the interoperability of various sources of that data;

(G)  the most recent pharmacogenetic strategies;

(H)  the genetic determinants of addiction; and

(I)  whether risk factors for addiction can be determined or mitigated;

(5)  develop a prescriber screening method or tool;

(6)  research and test new substance use clinical treatment approaches;

(7)  monitor trends in substance use patterns through the use of improved toxicology testing; and

(8)  collaborate with the commission, the Texas State Board of Pharmacy, and any other appropriate agency or professional board to complete comparative studies of prescribing practices for opioid drugs in this state.

Sec. 104A.007.  FUNDING. In addition to any money appropriated to the institute, the institute may solicit and accept gifts, grants, and donations from any source for the purpose of carrying out this chapter.

Sec. 104A.008.  COLLABORATION WITH HISTORICALLY BLACK COLLEGE OR UNIVERSITY. A health-related institution of higher education may contract with a historically black college or university in this state to collaborate with the institution in carrying out any part of this chapter.

Sec. 104A.009.  REPORT. Not later than December 1 of each even-numbered year, the institute shall prepare and submit to the governor, lieutenant governor, speaker of the house of representatives, and members of the legislature a biennial report on the institute's activities and legislative recommendations based on those activities.

Sec. 104A.010. APPROPRIATION CONTINGENCY. The institute is required to implement a provision of this chapter only if the legislature appropriates money specifically for that purpose. If the legislature does not appropriate money specifically for that purpose, the institute may, but is not required to, implement the provision using other money available to the institute for that purpose.

SECTION 5.  The Texas Higher Education Coordinating Board shall establish the child and adolescent psychiatric nursing grant program under Subchapter LL, Chapter 61, Education Code, as added by this Act, not later than December 31, 2019.

SECTION 6.  Not later than December 1, 2019, the governor shall appoint members to the Texas Behavioral Health Research Institute in accordance with Section 104A.003, Health and Safety Code, as added by this Act.

SECTION 7.  This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2019.