

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

1 Subchapter LL to read as follows:

2 SUBCHAPTER LL. CHILD AND ADOLESCENT

3 PSYCHIATRIC NURSING GRANT PROGRAM

4 Sec. 61.9851. DEFINITIONS. In this subchapter:

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

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

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

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

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

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

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

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

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

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

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

10 (1) must be expended exclusively on costs related to
11 the purpose for which the grant is awarded under Section
12 61.9852(b);

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

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

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

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

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

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

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

16 (2) as applicable, state:

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

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

25 (C) the number of postgraduate residency or
26 fellowship positions for specialized training in child or
27 adolescent psychiatric nursing that the institution's nursing

1 program intends to establish or expand for advanced practice
2 registered nurses; and

3 (3) state the amount of grant money requested.

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

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

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

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

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

17 (4) rescind approval of the application.

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

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

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

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

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

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

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

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

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

21 CHAPTER 104A. TEXAS BEHAVIORAL HEALTH RESEARCH INSTITUTE

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

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

27 (2) "Child psychiatry access line" means a telephonic

1 or other electronic system operated to connect health care
2 professionals with child-adolescent psychiatrists for peer-to-peer
3 consultation regarding the treatment of children with behavioral
4 health concerns through telepsychiatry.

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

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

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

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

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

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

27 (1) one representative from the commission, appointed

1 by the governor;

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

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

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

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

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

15 (C) The University of Texas Southwestern Medical
16 Center;

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

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

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

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

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

27 (I) the Texas Tech University Health Sciences

1 Center;

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

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

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

8 (M) Baylor College of Medicine.

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

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

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

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

18 (1) providing grants or other funding to the
19 health-related institutions of higher education listed in Section
20 104A.003(a)(4) and community mental health providers to provide
21 direct mental health care services and treatment;

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

25 (3) establishing partnerships between behavioral
26 health professionals from the health-related institutions of
27 higher education listed in Section 104A.003(a)(4) and direct care

1 providers to encourage the use of child psychiatry access lines;

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

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

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

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

12 (1) best practices in anti-bullying efforts;

13 (2) best practices in social-emotional learning;

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

16 (4) suicide prevention programming;

17 (5) opportunities for restorative justice; and

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

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

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

- 1 (1) children exposed to severe trauma, neglect, or
2 loss;
- 3 (2) victims of sex trafficking;
- 4 (3) children and youth in foster care;
- 5 (4) children at risk of adjudication; and
- 6 (5) children with intellectual or developmental
7 disabilities.

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

- 14 (1) physical, structural, chemical, electrical, or
15 genetic causes of behavioral health issues;
- 16 (2) external factors that may result in behavioral
17 health issues;
- 18 (3) physical or other health issues that may affect
19 behavioral health;
- 20 (4) public health trends and strategies related to
21 behavioral health;
- 22 (5) new treatments, therapies, pharmaceuticals,
23 medical interventions, or other solutions for addressing
24 behavioral health issues;
- 25 (6) substance use and addiction issues, including:
 - 26 (A) genetic determinants of addiction;
 - 27 (B) identification of and mitigation of

1 substance use and addiction risk factors;
2 (C) addiction recovery;
3 (D) pain management strategies; and
4 (E) prescription practices in this state; and
5 (7) other behavioral health and addiction issues
6 identified by the institute.

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

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

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

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

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

24 (4) conduct research related to identifying:

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

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

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

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

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

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

14 (G) the most recent pharmacogenetic strategies;

15 (H) the genetic determinants of addiction; and

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

18 (5) develop a prescriber screening method or tool;

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

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

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

27 Sec. 104A.007. FUNDING. In addition to any money

1 appropriated to the institute, the institute may solicit and accept
2 gifts, grants, and donations from any source for the purpose of
3 carrying out this chapter.

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

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

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

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

26 SECTION 6. Not later than December 1, 2019, the governor
27 shall appoint members to the Texas Behavioral Health Research

1 Institute in accordance with Section 104A.003, Health and Safety
2 Code, as added by this Act.

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