

By: Moody

H.B. No. 1312

Substitute the following for H.B. No. 1312:

By: Bernal

C.S.H.B. No. 1312

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the provision of on-campus mental health services by a
3 school district and reimbursement under Medicaid for certain
4 services provided to eligible students.

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

6 SECTION 1. Subchapter A, Chapter 38, Education Code, is
7 amended by adding Sections 38.034 and 38.035 to read as follows:

8 Sec. 38.034. ON-CAMPUS MENTAL HEALTH SERVICES. (a) A
9 school district may contract with a local mental health authority
10 to provide mental health services on a campus of the district.

11 (b) At the request of a student's parent or guardian, a
12 local mental health authority providing on-campus mental health
13 services that conducts a mental health or behavioral health
14 assessment of the student or provides mental health or behavioral
15 health services to the student may provide to the student's primary
16 care physician the results of the assessment conducted and, if
17 applicable, the results of any services provided.

18 Sec. 38.035. REIMBURSEMENT UNDER MEDICAID. The Health and
19 Human Services Commission shall allow a school district to enroll
20 as a provider under the medical assistance program under Chapter
21 32, Human Resources Code, to provide and receive reimbursement for
22 the provision of mental health services to district students who
23 are medical assistance recipients.

24 SECTION 2. If before implementing any provision of this Act

1 a state agency determines that a waiver or authorization from a
2 federal agency is necessary for implementation of that provision,
3 the agency affected by the provision shall request the waiver or
4 authorization and may delay implementing that provision until the
5 waiver or authorization is granted.

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