

By: Price

H.B. No. 1335

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the establishment of school-based behavioral health
3 centers by school districts and a grant program administered by the
4 executive commissioner of the Health and Human Services Commission
5 for the operation of those centers.

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

7 SECTION 1. Chapter 38, Education Code, is amended by adding
8 Subchapter B-1 to read as follows:

9 SUBCHAPTER B-1. SCHOOL-BASED BEHAVIORAL HEALTH CENTERS

10 Sec. 38.081. DEFINITIONS. In this subchapter:

11 (1) "Behavioral health services" includes mental
12 health assessments, crisis interventions, counseling, mental
13 health treatments and referrals to a continuum of mental health
14 services, including psychiatric care, community support programs,
15 and inpatient or outpatient care programs.

16 (2) "Executive commissioner" means the executive
17 commissioner of the Health and Human Services Commission.

18 Sec. 38.082. ESTABLISHMENT OF SCHOOL-BASED BEHAVIORAL
19 HEALTH CENTER. (a) A school district may establish a school-based
20 behavioral health center to:

21 (1) provide accessible behavioral health services to
22 students and their families;

23 (2) improve the emotional well-being and academic
24 performance of medically underserved students and their families;

1 and

2 (3) integrate behavioral health services in the school
3 environment.

4 (b) A school district may combine a school-based behavioral
5 health center with a school-based health center established under
6 Subchapter B or any other district program that provides primary
7 health care services to students.

8 Sec. 38.083. CENTER REQUIREMENTS. (a) A school-based
9 behavioral health center must:

10 (1) be located at or near a school district facility;
11 (2) be organized with assistance from the community
12 and relevant health care providers; and

13 (3) provide behavioral health services during school
14 hours to students in accordance with:

15 (A) applicable federal, state, and local laws;
16 (B) established behavioral health standards; and
17 (C) community practice.

18 (b) A school-based behavioral health center must be
19 administered by an eligible entity. An eligible entity must be a
20 community-based organization that is:

21 (1) a school district;
22 (2) a hospital;
23 (3) a local health department;
24 (4) a federally qualified health center, as defined by
25 42 U.S.C. Section 1396d(1)(2)(B);

26 (5) a community mental health center, as defined by 42
27 U.S.C. Section 1395x(ff)(3)(B);

1 (6) a local mental health authority;

2 (7) a health care provider whose sole purpose is
3 providing school-based behavioral health services; or

4 (8) any other appropriate nonprofit health care agency
5 or behavioral health care agency.

6 Sec. 38.084. GRANTS. (a) The executive commissioner shall
7 administer a program under which grants are awarded to assist
8 school districts with the costs of operating school-based
9 behavioral health centers.

10 (b) To be eligible to receive a grant under this section, a
11 school district must:

12 (1) establish or propose to establish a school-based
13 behavioral health center that meets the requirements under Section
14 38.083;

15 (2) provide sufficient information establishing local
16 need for the behavioral health services provided by or proposed to
17 be provided by the center;

18 (3) provide sufficient evidence that:

19 (A) the center will obtain parental consent
20 before providing behavioral health services to children;

21 (B) the district will establish and maintain
22 relationships with health care providers in the district;

23 (C) the center will offer:

24 (i) on-site access during each
25 instructional day; and

26 (ii) 24-hour coverage through an on-call
27 system to ensure year-round access to the center's services;

1 (D) the center will be integrated into the school
2 environment and will coordinate behavioral health resources with
3 district educators and other appropriate support personnel,
4 including other school-based health care providers; and

5 (E) the entity administering the center will
6 assume all responsibility for the administration, operation, and
7 oversight of the center; and

8 (4) provide any other information the executive
9 commissioner determines necessary.

10 (c) In awarding grants under this section, the executive
11 commissioner shall give priority to school districts that seek
12 funding for a school-based behavioral health center that meets at
13 least two of the following criteria:

14 (1) the center has already been established;

15 (2) the center will be established at a campus that
16 does not currently have a school-based behavioral health center;

17 (3) the center serves or will serve an area in which
18 there are barriers to students accessing behavioral health
19 services; or

20 (4) the center serves or will serve a campus at which
21 50 percent or more of the students in daily attendance at the campus
22 are:

23 (A) uninsured, underinsured, or enrolled in a
24 public health insurance program; or

25 (B) educationally disadvantaged.

26 (d) The executive commissioner shall determine the amount
27 of each grant awarded under this section. In determining the amount

1 of a grant, the executive commissioner shall consider:

2 (1) the financial need of the school district to
3 operate the school-based behavioral health center;

4 (2) other funding provided to the school district for
5 the operation of the center; and

6 (3) any other factor the executive commissioner
7 determines relevant.

8 (e) A grant awarded under this section may be used only for:

9 (1) the salaries of health care providers who provide
10 behavioral health services through the school-based behavioral
11 health center;

12 (2) overhead costs of the center; or

13 (3) costs related to managing the center's programs.

14 (f) The executive commissioner shall provide to a school
15 district that receives a grant under this section:

16 (1) technical assistance;

17 (2) fiscal and program management assistance and
18 training;

19 (3) operational and administrative support; and

20 (4) information on best practices in offering
21 behavioral health services through a school-based behavioral
22 health center.

23 (g) The executive commissioner shall adopt rules as
24 necessary to implement this section, including rules regarding the
25 evaluation and monitoring of school-based behavioral health
26 centers operated by school districts that receive a grant under
27 this section.

1 SECTION 2. This Act applies beginning with the 2019-2020
2 school year.

3 SECTION 3. 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.