

By: Coleman

H.B. No. 3088

A BILL TO BE ENTITLED

AN ACT

relating to the administration of county mental health grant services established by the Health and Human Services Commission.

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

SECTION 1. Section 531.0991, Government Code, is amended by amending Subsections (h) and (k) to read as follows:

(h) A community that receives a grant under this section is required to leverage funds in an amount:

(1) equal to 25 ~~[50]~~ percent of the grant amount if the community mental health program is located in a county with a population of less than 100,000 ~~[250,000]~~;

(2) equal to 50 ~~[100]~~ percent of the grant amount if the community mental health program is located in a county with a population of at least 100,000, but less than 250,000; ~~[and]~~

~~(3) equal to 100 percent of the grant amount if the community mental health program is located in a county with a population of at least 250,000; and [equal to the percentage of the grant amount otherwise required by this subsection for the largest county in which a community mental health program is located if the community mental health program is located in more than one county.]~~

(4) equal to the percentage of the grant amount otherwise required by this subsection for the county with the largest population in which a community mental health program is

1 located if the community mental health program is located in more  
2 than one county.

3 (k) Not later than December 1 of each even-numbered calendar  
4 year, the executive commissioner shall submit to the governor, the  
5 lieutenant governor, and each member of the legislature a report  
6 evaluating the success of the matching grant program created by  
7 this section.

8 SECTION 2. Section 531.0992, Government Code, is amended by  
9 amending Subsections (d-1) and (d-2) to read as follows:

10 (d-1) For services and treatment provided in a single  
11 county, the commission shall condition each grant provided under  
12 this section on a potential grant recipient providing funds from  
13 non-state sources in a total amount at least equal to:

14 (1) 25 [~~50~~] percent of the grant amount if the  
15 community mental health program to be supported by the grant  
16 provides services and treatment in a county with a population of  
17 less than 100,000 [~~250,000~~]; ~~or~~

18 (2) 50 [~~100~~] percent of the grant amount if the  
19 community mental health program to be supported by the grant  
20 provides services and treatment in a county with a population of at  
21 least 100,000, but less than 250,000 [~~or more~~]; and

22 (3) 100 percent of the grant amount if the community  
23 mental health program to be supported by the grant provides  
24 services and treatment in a county with a population of 250,000 or  
25 more.

26 (d-2) For a community mental health program that provides  
27 services and treatment in more than one county, the commission

1 shall condition each grant provided under this section on a  
2 potential grant recipient providing funds from non-state sources in  
3 a total amount at least equal to:

4 (1) 25 [~~50~~] percent of the grant amount if the county  
5 with the largest population [~~largest county~~] in which the community  
6 mental health program to be supported by the grant provides  
7 services and treatment has a population of less than 100,000  
8 [~~250,000~~]; [~~or~~]

9 (2) 50 [~~100~~] percent of the grant amount if the county  
10 with the largest population [~~largest county~~] in which the community  
11 mental health program to be supported by the grant provides  
12 services and treatment has a population of at least 100,000, but  
13 less than 250,000 [~~or more~~]; and

14 (3) 100 percent of the grant amount if the county with  
15 the largest population in which the community mental health program  
16 to be supported by the grant provides services and treatment has a  
17 population of 250,000 or more.

18 SECTION 3. Section 531.0993(c), Government Code, is amended  
19 as follows:

20 (c) The commission shall condition each grant provided to a  
21 community collaborative under this section on the collaborative  
22 providing funds from non-state sources in a total amount at least  
23 equal to:

24 (1) 25 [~~50~~] percent of the grant amount if the  
25 collaborative includes a county with a population of less than  
26 100,000 [~~250,000~~];

27 (2) 50 [~~100~~] percent of the grant amount if the

1 collaborative includes a county with a population of at least  
2 100,000, but less than 250,000; [and]

3 (3) 100 percent of the grant amount if the  
4 collaborative includes a county with a population of at least  
5 250,000; and [the percentage of the grant amount otherwise required  
6 by this subsection for the largest county included in the  
7 collaborative, if the collaborative includes more than one county.]

8 (4) the percentage of the grant amount otherwise  
9 required by this subsection for the county with the largest  
10 population included in the collaborative, if the collaborative  
11 includes more than one county.

12 SECTION 4. Section 539.002, Government Code, is amended by  
13 amending Subsections (b) and (c) to read as follows:

14 (b) Except as provided by Subsection (c), the department  
15 shall require each entity awarded a grant under this section to:

16 (1) leverage additional funding or in-kind  
17 contributions from private [~~sources~~] contributors or local  
18 governments, excluding state and federal funds, in an amount that  
19 is at least equal to the amount of the grant awarded under this  
20 section;

21 (2) provide evidence of significant coordination and  
22 collaboration between the entity, local mental health authorities,  
23 municipalities, local law enforcement agencies, and other  
24 community stakeholders in establishing or expanding a community  
25 collaborative funded by a grant awarded under this section; and

26 (3) provide evidence of a local law enforcement policy  
27 to divert appropriate persons from jails or other detention

1 facilities to an entity affiliated with a community collaborative  
2 for the purpose of providing services to those persons.

3 (c) The department may award a grant under this chapter to  
4 an entity for the purpose of establishing a community mental health  
5 program in a county with a population of less than 250,000, if the  
6 entity leverages additional funding or in-kind contributions from  
7 private ~~[sources]~~ contributors or local governments, excluding  
8 state and federal funds, in an amount equal to one-quarter of the  
9 amount of the grant to be awarded under this section, and the entity  
10 otherwise meets the requirements of Subsections (b)(2) and (3).

11 SECTION 5. Section 539.003, Government Code, is amended as  
12 follows:

13 Sec. 539.003. ACCEPTABLE USES OF GRANT MONEY. An entity  
14 shall use money received from a grant made by the department and  
15 private funding sources for the establishment or expansion of a  
16 community collaborative~~[, provided that the collaborative must be~~  
17 ~~self-sustaining within seven years]~~. Acceptable uses for the money  
18 include:

19 (1) the development of the infrastructure of the  
20 collaborative and the start-up costs of the collaborative;

21 (2) the establishment, operation, or maintenance of  
22 other community service providers in the community served by the  
23 collaborative, including intake centers, detoxification units,  
24 sheltering centers for food, workforce training centers,  
25 microbusinesses, and educational centers;

26 (3) the provision of clothing, hygiene products, and  
27 medical services to and the arrangement of transitional and

1 permanent residential housing for persons served by the  
2 collaborative;

3 (4) the provision of mental health services and  
4 substance abuse treatment not readily available in the community  
5 served by the collaborative;

6 (5) the provision of information, tools, and resource  
7 referrals to assist persons served by the collaborative in  
8 addressing the needs of their children; and

9 (6) the establishment and operation of coordinated  
10 intake processes, including triage procedures, to protect the  
11 public safety in the community served by the collaborative.

12 SECTION 6. Section 539.007, Government Code, is amended as  
13 follows:

14 Sec. 539.007. REDUCTION AND CESSATION OF FUNDING. The  
15 department shall establish processes by which the department may  
16 reduce or cease providing funding to an entity if the community  
17 collaborative operated by the entity does not meet the outcome  
18 measures selected by the entity for the collaborative under Section  
19 539.005 [~~or is not self-sustaining after seven years~~]. The  
20 department shall redistribute any funds withheld from an entity  
21 under this section to other entities operating high-performing  
22 collaboratives on a competitive basis.

23 SECTION 7. The amendments to Sections 531.0991(h),  
24 531.0991(k), 531.0992(d-1), 531.0992(d-2), 531.0993(c),  
25 539.002(b), 539.002(c), 539.003, and 539.007, Government Code,  
26 apply to contracts entered into on or after September 1, 2021.

27 SECTION 8. 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 9. 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, 2021.