

BILL ANALYSIS

H.B. 400
By: Klick
Higher Education
Committee Report (Unamended)

BACKGROUND AND PURPOSE

After the tragic events of the Robb Elementary Shooting, Speaker Phelan charged the Select Committee on Youth Health and Safety to study the needs of the state related to mental health professionals, educators, school administrators, and related professionals overseeing youth mental health programs and the delivery of those mental health services. The committee's interim report to the 88th Legislature indicates that there is a severe workforce shortage at every level within the mental and behavioral health system. According to the report, "since 2020, over 2,000 patients have been turned away from inpatient treatment due to staff shortages," and "15 million Texans live in an area that is classified as a Health Professional Shortage Area, defined as population to provider ratio of 30,000 to 1."

H.B. 400 seeks to remedy this workforce shortage by providing for the establishment of a psychiatric specialty innovation grant program to award incentive payments for the purposes of increasing the number of physicians who specialize in adult or pediatric psychiatric care. The bill also provides for the establishment of a behavioral health innovation grant program to award incentive payments to institutions of higher education that administer innovative recruitment, training, and retention programs designed to increase the number of mental health professionals or professionals in related fields.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the Texas Higher Education Coordinating Board in SECTIONS 1 and 2 of this bill.

ANALYSIS

H.B. 400 amends the Education Code to provide for the establishment of a psychiatric specialty innovation grant program and a behavioral health innovation grant program for the purposes of promoting pediatric or adult psychiatric care and increasing the behavioral health workforce in Texas.

Establishment of Psychiatric Specialty Innovation Grant Program

H.B. 400 requires the Texas Higher Education Coordinating Board (THECB), not later than September 1, 2024, and subject to available funds, to establish a psychiatric specialty innovation grant program under which the THECB awards incentive payments to medical schools that administer innovative residency training programs designed to increase the number of physicians in Texas who specialize in pediatric or adult psychiatric care.

H.B. 400 caps the amount of a psychiatric specialty innovation grant at \$1 million and requires the THECB to award grants as follows:

- 60 percent of the amount available in each program year to medical schools with programs that train physicians to specialize in pediatric psychiatric care; and
- 40 percent of the amount available in each program year to medical schools with programs that train physicians to specialize in adult psychiatric care.

The bill requires the THECB to give priority within each category to grants to medical schools with innovative residency programs based in rural or underserved areas. The bill authorizes the THECB to use a reasonable amount of any general revenue appropriated for purposes of the program to pay administrative costs, subject to a five percent cap on the amount used for these purposes.

Establishment of Behavioral Health Innovation Grant Program

H.B. 400 requires the THECB, not later than September 1, 2024, and subject to available funds, to establish a behavioral health innovation grant program under which the THECB awards incentive payments to public institutions of higher education that administer innovative recruitment, training, and retention programs designed to increase the number of mental health professionals or professionals in related fields, as determined by the THECB, including by providing a salary increase or stipend to a faculty member who provides instruction to additional students in a degree or certificate program that graduates those professionals.

H.B. 400 caps the amount of a behavioral health innovation grant at \$1 million and requires the THECB to give priority to grants to applicants that propose to do the following:

- enhance or leverage existing degree programs that graduate mental health professionals or professionals in a related field;
- establish or maintain a program that serves a rural or underserved area;
- partner with another institution of higher education to develop a joint program or with a public school to implement early recruitment in high school;
- establish or maintain a program that incentivizes professionals to serve in the mental health field or a related field of study for at least three consecutive years following graduation in an inpatient or outpatient behavioral health facility or program that receives state funding;
- establish or maintain a degree or certificate program to educate professionals in specialties that face significant workforce shortages, including those eligible for the education loan repayment program for certain mental health professionals; or
- establish or maintain psychiatric fellowship programs that serve correctional facilities or inpatient psychiatric facilities.

The bill authorizes the THECB to use a reasonable amount of any general revenue appropriated for purposes of the program to pay administrative costs, subject to a five percent cap on the amount used for these purposes.

Rulemaking

H.B. 400 requires the THECB to adopt rules for the administration of each grant program. The bill requires the THECB to consult with each medical school in Texas in adopting rules for the psychiatric specialty innovation grant program and to solicit necessary information from the Texas Behavioral Health Executive Council in adopting rules for the behavioral health innovation grant program. The bill requires the rules for each program to include the following:

- administrative provisions relating to the awarding of the grants, such as the following:
 - eligibility criteria for medical schools or institutions of higher education, as applicable, including a requirement that the medical school or institution demonstrate regional and state workforce need;
 - grant application procedures;
 - guidelines relating to grant amounts;

- procedures for evaluating grant applications; and
 - procedures for monitoring the use of grants; and
- methods for tracking the effectiveness of grants that, using data reasonably available to the THECB, consider relevant information regarding the career paths of medical school graduates or mental health and related professionals, as applicable, during the four-year period following their graduation and evaluate whether and for how long those individuals practice in an applicable field in Texas.

Federal Funds and Gifts, Grants, and Donations

H.B. 400 authorizes the THECB, in addition to other money appropriated by the legislature, to seek and apply for any federal funds and solicit and accept gifts, grants, and donations from any other source as necessary to ensure effective implementation of the grant programs.

Reporting Requirements

H.B. 400 requires a medical school or institution of higher education that receives a grant under the bill's provisions to submit to the THECB an annual report on the amounts and purposes for which grant funds were spent during the year covered by the report.

EFFECTIVE DATE

September 1, 2023.