

BILL ANALYSIS

Senate Research Center
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H.B. 2059
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Health & Human Services
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Mental health first aid (MHFA) is an interactive, skills-based training course that helps persons identify, understand, and respond to signs of mental illnesses and substance use disorders. Local mental health authorities (LMHAs) and local behavioral health authorities (LBHAs) provide this training. The MHFA legislative initiative was enacted during the 83rd Legislature and authorized grants for LMHAs to train school district educators. Through subsequent legislation, the program was expanded to include other school district employees, school resource officers, and university employees. Limitations under current law, however, do not permit the Health and Human Services Commission to maximize the use of funds allocated for the MHFA program. What's more, statute limits who can participate in the state's program. With the rise in mental health concerns throughout Texas, expanding the eligibility of individuals who can participate in the state's program should increase awareness of and response to signs of mental illness and substance use disorders.

H.B. 2059 would maximize the use of funds allocated for the MHFA program by allowing for reimbursements to be made for a wider range of persons, including youth, first responders, and military service members and veterans who want to participate in a MHFA program.

H.B. 2059 amends current law relating to mental health first aid training provided by local mental health authorities and local behavioral health authorities.

RULEMAKING AUTHORITY

Rulemaking authority previously granted to the executive commissioner of the Health and Human Services Commission is modified in SECTION 2 (Section 1001.202, Health and Safety Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 1001.201, Health and Safety Code, as follows:

Sec. 1001.201. DEFINITIONS. Defines "child-care facility," "first responder," "institution of higher education," "local behavioral health authority," "open-enrollment charter school," and "private school." Deletes existing definition of "university employee." Makes nonsubstantive changes.

SECTION 2. Amends Section 1001.202, Health and Safety Code, as follows:

Sec. 1001.202. GRANTS FOR TRAINING OF MENTAL HEALTH FIRST AID TRAINERS. (a) Requires the Health and Human Services Commission (HHSC), to the extent money is appropriated to HHSC for that purpose, rather than requires the Department of State Health Services (DSHS), to the extent funds are appropriated to DSHS for that purpose, to make grants to local mental health authorities or local behavioral health authorities to contract with persons approved by HHSC to train employees or contractors of the authorities as mental health first aid trainers. Makes a conforming change.

(b) Requires HHSC to make each grant to a local mental health authority or local behavioral health authority under this section in the amount HHSC determines necessary to cover the costs of training employees or contractors, rather than in an amount equal to \$1,000 times the number of employees or contractors, of the authority whose training as mental health first aid trainers will be paid by the grant. Makes a conforming change.

(d) Requires the executive commissioner of HHSC to adopt rules to establish the requirements for a person to be approved by HHSC to train employees or contractors of a local mental health authority or local behavioral health authority as mental health first aid trainers. Requires that the rules ensure that a person who is approved by HHSC is qualified to provide training in:

(1) the potential risk factors and warning signs for various mental illnesses, including substance use disorders, rather than substance abuse disorders; and

(2)-(4) makes no changes to these subdivisions.

Makes conforming changes.

(e) Authorizes two or more local mental health authorities or local behavioral health authorities to collaborate and share resources to provide training for employees or contractors of the authorities under this section.

SECTION 3. Amends Section 1001.203, Health and Safety Code, as follows:

Sec. 1001.203. New heading: GRANTS FOR TRAINING CERTAIN INDIVIDUALS IN MENTAL HEALTH FIRST AID. (a) Requires HHSC, to the extent money is appropriated to HHSC for the purpose, rather than requires DSHS, to the extent funds are appropriated to DSHS for that purpose, to make grants to local mental health authorities or local behavioral health authorities to provide at no cost an approved mental health first aid training program administered by mental health first aid trainers to certain individuals at the discretion of the authorities, rather than at no cost to university employees, school district employees, and school resource officers. Makes conforming and nonsubstantive changes.

(c) Requires HHSC to grant to a local mental health authority or local behavioral health authority the amount HHSC determines necessary to cover the costs of training each individual described by Subsection (a) who successfully completes a mental health first aid training program provided by the authority under this section. Deletes existing text requiring DSHS to grant \$100 to a local mental health authority for each university employee, school district employee, or school resource officer who successfully completes a mental health first aid training program provided by the authority under this section.

(d) Requires that a mental health first aid training program provided by a local mental health authority or local behavioral health authority under this section meet certain criteria. Makes a conforming change.

(e) Authorizes a local mental health authority or local behavioral health authority to contract with a regional education service center to provide under this section a mental health first aid training program to school district employees and contractors, school resource officers, open-enrollment charter school employees and contractors, private school employees and contractors, and employees and contractors of an institution of higher education, rather than to university employees, school district employees, and school resource officers under this section.

(f) Authorizes two or more local mental health authorities or local behavioral health authorities to collaborate and share resources to develop and operate a mental health first aid training program under this section.

SECTION 4. Amends Section 1001.204, Health and Safety Code, as follows:

Sec. 1001.204. PLANS FOR MENTAL HEALTH FIRST AID TRAINING PROGRAMS. (a) Requires a local mental health authority or local behavioral health authority, not later than July 1 of each even-numbered year, rather than each state fiscal year, for which the authority will seek a grant from HHSC under Section 1001.203, to submit to HHSC a plan demonstrating the manner in which grants made to the authority under that section will be used to meet certain criteria. Makes conforming changes.

(b) Makes conforming changes to this subsection.

SECTION 5. Amends Section 1001.205, Health and Safety Code, as follows:

Sec. 1001.205. REPORTS. (a) Requires a local mental health authority or local behavioral health authority, not later than September 30 of each year, to provide to HHSC the number of:

(1) makes no changes to this subdivision;

(2) school district employees and contractors, school resource officers, open-enrollment charter school employees and contractors, private school employees and contractors, and employees and contractors of an institution of higher education, rather than university employees, school district employees, and school resource officers, who completed a mental health first aid training program offered by the authority under Section 1001.203 during the preceding fiscal year categorized by:

(A) local mental health authority or local behavioral health authority region;

(B) school district, open-enrollment charter school, private school, and institution of higher education, rather than university or school district, as applicable; and

(C) creates this paragraph from existing text;

(3) child-care facility employees and contractors, youth, individuals with direct and recurring contact with students, first responders, judges, and attorneys, rather than individuals who are not university employees, school district employees, or school resource officers, who completed a mental health first aid training program offered by the authority during the preceding fiscal year categorized by local mental health authority or local behavioral health authority region; and

(4) military service members, veterans, and immediate family members of military service members and veterans who completed the veterans module or standard version of a mental health first aid training program offered by the authority during the preceding fiscal year categorized by local mental health authority or local behavioral health authority region and the training program completed.

Makes conforming and nonsubstantive changes.

(b)-(c) Makes conforming and nonsubstantive changes to these subsections.

SECTION 6. Amends Section 1001.206, Health and Safety Code, as follows:

Sec. 1001.206. LIABILITY. Provides that a person who has completed a mental health first aid training program offered by a local mental health authority or local behavioral health authority under Subchapter H (Mental Health First Aid Training) and who in good faith attempts to assist an individual experiencing a mental health crisis is not liable in civil damages for an act performed in attempting to assist the individual unless the act is wilfully or wantonly negligent.

SECTION 7. Repealers: Sections 1001.2015 (Limitation on Grants) and 1001.2031 (Supplemental Grants for Training Certain University Employees, School District Employees, and School Resource Officers in Mental Health First Aid), Health and Safety Code.

SECTION 8. Effective date: September 1, 2023.