88R2754 AMF-D

By:  West S.B. No. 137

A BILL TO BE ENTITLED

AN ACT

relating to a counseling and crisis management program for relative or other designated caregivers and children in the managing conservatorship of the Department of Family and Protective Services.

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

SECTION 1.  Subchapter I, Chapter 264, Family Code, is amended by adding Section 264.7553 to read as follows:

Sec. 264.7553.  COUNSELING AND CRISIS MANAGEMENT PROGRAM FOR RELATIVE OR OTHER DESIGNATED CAREGIVER PLACEMENTS. (a) The department shall develop a counseling and crisis management program to provide mental and behavioral telehealth services and mobile mental and behavioral health intervention services to relative or other designated caregivers and children in the managing conservatorship of the department who are placed with relative or other designated caregivers.

(b)  Mental and behavioral telehealth services provided under this section must be:

(1)  accessible electronically through the use of a computer or telephone application; and

(2)  available 24 hours a day, seven days a week.

(c)  Mobile mental and behavioral health intervention services provided under this section must be:

(1)  deployed to the location of the child or the relative or other designated caregiver requiring intervention services; and

(2)  available 24 hours a day, seven days a week.

(d)  Services described by this section may only be provided by:

(1)  a licensed psychologist;

(2)  a licensed marriage and family therapist, as defined by Section 502.002, Occupations Code;

(3)  a licensed professional counselor, as defined by Section 503.002, Occupations Code;

(4)  a licensed clinical social worker, as defined by Section 505.002, Occupations Code; or

(5)  any similarly qualified mental health professional as established by department rule.

(e)  The department shall, to the extent possible, seek reimbursement from the medical assistance program under Chapter 32, Human Resources Code, or a health plan that provides health coverage for services described by this section to relative or other designated caregivers and children.

(f)  The department may contract with an outside vendor to provide services described by this section.

(g)  The commissioner shall adopt rules necessary to implement this section.

SECTION 2.  (a) As soon as practicable after the effective date of this Act, the commissioner of the Department of Family and Protective Services shall adopt the rules necessary to implement Section 264.7553, Family Code, as added by this Act.

(b)  The Department of Family and Protective Services shall begin providing the services required under Section 264.7553, Family Code, as added by this Act, as follows:

(1)  mental and behavioral telehealth services, not later than January 1, 2024; and

(2)  mobile mental and behavioral health intervention services, not later than January 1, 2025.

SECTION 3.  This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2023.