

AN ACT

relating to mental health first aid training provided by local mental health authorities and local behavioral health authorities.

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

SECTION 1. Section 1001.201, Health and Safety Code, is amended to read as follows:

Sec. 1001.201. DEFINITIONS. In this subchapter:

(1) "Child-care facility" has the meaning assigned by Section 42.002, Human Resources Code.

(2) "Educator" means a person who is required to hold a certificate issued under Subchapter B, Chapter 21, Education Code.

(3) "First responder" has the meaning assigned by Section 421.095, Government Code.

(4) "Institution of higher education" has the meaning assigned by Section 61.003, Education Code.

(5) "Local behavioral health authority" means an authority designated by the commission under Section 533.0356.

(6) [~~2~~] "Local mental health authority" has the meaning assigned by Section 531.002.

(7) "Open-enrollment charter school" and "private school" have the meanings assigned by Section 5.001, Education Code.

(8) [~~3~~] "Regional education service center" means a regional education service center established under Chapter 8,

1 Education Code.

2 (9) [~~(4)~~] "School district employee" means a person
3 employed by a school district who regularly interacts with students
4 through the course of the person's duties, including an educator, a
5 secretary, a school bus driver, or a cafeteria worker.

6 (10) [~~(5)~~] "School resource officer" has the meaning
7 assigned by Section 1701.601, Occupations Code.

8 ~~[(6) "University employee" means a person employed by
9 a public or private institution of higher education who regularly
10 interacts with students enrolled at the university through the
11 course of the person's duties.]~~

12 SECTION 2. Section 1001.202, Health and Safety Code, is
13 amended to read as follows:

14 Sec. 1001.202. GRANTS FOR TRAINING OF MENTAL HEALTH FIRST
15 AID TRAINERS. (a) To the extent money is [~~funds are~~] appropriated
16 to the commission [~~department~~] for that purpose, the commission
17 [~~department~~] shall make grants to local mental health authorities
18 or local behavioral health authorities to contract with persons
19 approved by the commission [~~department~~] to train employees or
20 contractors of the authorities as mental health first aid trainers.

21 (b) The commission [~~department~~] shall make each grant to a
22 local mental health authority or local behavioral health authority
23 under this section in the [~~an~~] amount the commission determines
24 necessary to cover the costs of training [~~equal to \$1,000 times the~~
25 ~~number of~~] employees or contractors of the authority whose training
26 as mental health first aid trainers will be paid by the grant.

27 (d) The executive commissioner shall adopt rules to

1 establish the requirements for a person to be approved by the
2 commission [~~department~~] to train employees or contractors of a
3 local mental health authority or local behavioral health authority
4 as mental health first aid trainers. The rules must ensure that a
5 person who is approved by the commission [~~department~~] is qualified
6 to provide training in:

7 (1) the potential risk factors and warning signs for
8 various mental illnesses, including depression, anxiety, trauma,
9 psychosis, eating disorders, substance use [~~abuse~~] disorders, and
10 self-injury;

11 (2) the prevalence of various mental illnesses in the
12 United States and the need to reduce the stigma associated with
13 mental illness;

14 (3) an action plan for use by the employees or
15 contractors that involves the use of skills, resources, and
16 knowledge to assess a situation and develop and implement an
17 appropriate intervention to help an individual experiencing a
18 mental health crisis obtain appropriate professional care; and

19 (4) the evidence-based professional, peer, social,
20 and self-help resources available to help individuals with mental
21 illness.

22 (e) Two or more local mental health authorities or local
23 behavioral health authorities may collaborate and share resources
24 to provide training for employees or contractors of the authorities
25 under this section.

26 SECTION 3. Section [1001.203](#), Health and Safety Code, is
27 amended to read as follows:

1 Sec. 1001.203. GRANTS FOR TRAINING CERTAIN INDIVIDUALS
2 ~~[UNIVERSITY EMPLOYEES, SCHOOL DISTRICT EMPLOYEES, AND SCHOOL~~
3 ~~RESOURCE OFFICERS]~~ IN MENTAL HEALTH FIRST AID. (a) To the extent
4 money is ~~[funds are]~~ appropriated ~~[to the department]~~ for the
5 ~~[that]~~ purpose, the commission ~~[department]~~ shall make grants to
6 local mental health authorities or local behavioral health
7 authorities to provide at no cost an approved mental health first
8 aid training program~~[,]~~ administered by mental health first aid
9 trainers~~[, at no cost]~~ to the following individuals at the
10 discretion of the authorities:

11 (1) ~~[university employees,]~~ school district
12 employees~~[,]~~ and school resource officers;

13 (2) employees of:

14 (A) an institution of higher education;

15 (B) an open-enrollment charter school; or

16 (C) a private school;

17 (3) employees and contractors of a child-care
18 facility;

19 (4) youth;

20 (5) individuals with direct and recurring contact with
21 students;

22 (6) first responders;

23 (7) military service members, veterans, or immediate
24 family members of military service members or veterans;

25 (8) judges and attorneys, as applicable based on the
26 practice of law of the judge or attorney; or

27 (9) contractors of an institution of higher education,

1 an open-enrollment charter school, a private school, or a school
2 district.

3 (c) The commission [~~department~~] shall grant [~~\$100~~] to a
4 local mental health authority or local behavioral health authority
5 the amount the commission determines necessary to cover the costs
6 of training each individual described by Subsection (a) [~~for each~~
7 ~~university employee, school district employee, or school resource~~
8 ~~officer~~] who successfully completes a mental health first aid
9 training program provided by the authority under this section.

10 (d) A mental health first aid training program provided by a
11 local mental health authority or local behavioral health authority
12 under this section must:

13 (1) be conducted by a person trained as a mental health
14 first aid trainer;

15 (2) provide participants with the skills necessary to
16 help an individual experiencing a mental health crisis until the
17 individual is able to obtain appropriate professional care; and

18 (3) include:

19 (A) instruction in a five-step strategy for
20 helping an individual experiencing a mental health crisis,
21 including assessing risk, listening respectfully to and supporting
22 the individual, and identifying professional help and other
23 supports for the individual;

24 (B) an introduction to the risk factors and
25 warning signs for mental illness and substance use [~~abuse~~]
26 problems;

27 (C) experiential activities to increase

1 participants' understanding of the impact of mental illness on
2 individuals and families; and

3 (D) a presentation of evidence-supported
4 treatment and self-help strategies.

5 (e) A local mental health authority or local behavioral
6 health authority may contract with a regional education service
7 center to provide under this section a mental health first aid
8 training program to [~~university employees,~~] school district
9 employees and contractors, [~~and~~] school resource officers,
10 open-enrollment charter school employees and contractors, private
11 school employees and contractors, and employees and contractors of
12 an institution of higher education [~~under this section~~].

13 (f) Two or more local mental health authorities or local
14 behavioral health authorities may collaborate and share resources
15 to develop and operate a mental health first aid training program
16 under this section.

17 SECTION 4. Section 1001.204, Health and Safety Code, is
18 amended to read as follows:

19 Sec. 1001.204. PLANS FOR MENTAL HEALTH FIRST AID TRAINING
20 PROGRAMS. (a) Not later than July 1 of each even-numbered [~~state~~
21 ~~fiscal~~] year for which a local mental health authority or local
22 behavioral health authority will seek a grant from the commission
23 [~~department~~] under Section 1001.203, the authority shall submit to
24 the commission [~~department~~] a plan demonstrating the manner in
25 which grants made to the authority under that section will be used:

26 (1) to train individuals in mental health first aid
27 throughout the authority's local service area to maximize the

1 number of children who have direct contact with an individual who
2 has successfully completed a mental health first aid training
3 program provided by the authority;

4 (2) to meet the greatest needs of the authority's local
5 service area, as identified by the authority; and

6 (3) to complement existing resources and not duplicate
7 established mental health first aid training efforts.

8 (b) The commission [~~department~~] may not make a grant to a
9 local mental health authority or local behavioral health authority
10 under Section 1001.203 unless the commission [~~department~~] has
11 evaluated a plan submitted by the authority under this section.

12 SECTION 5. Section 1001.205, Health and Safety Code, is
13 amended to read as follows:

14 Sec. 1001.205. REPORTS. (a) Not later than September 30 of
15 each year, a local mental health authority or local behavioral
16 health authority shall provide to the commission [~~department~~] the
17 number of:

18 (1) employees and contractors of the authority who
19 were trained as mental health first aid trainers under Section
20 1001.202 during the preceding fiscal year, the number of trainers
21 who left the program for any reason during the preceding fiscal
22 year, and the number of active trainers;

23 (2) [~~university employees,~~] school district
24 employees[~~7~~] and contractors, school resource officers,
25 open-enrollment charter school employees and contractors, private
26 school employees and contractors, and employees and contractors of
27 an institution of higher education who completed a mental health

1 first aid training program offered by the authority under Section
2 1001.203 during the preceding fiscal year categorized by:

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

5 (B) [~~university~~ or] school district,
6 open-enrollment charter school, private school, and institution of
7 higher education, as applicable; [~~university~~] and

8 (C) category of personnel;

9 (3) child-care facility employees and contractors,
10 youth, individuals with direct and recurring contact with students,
11 first responders, judges, and attorneys [~~individuals who are not~~
12 university employees, school district employees, or school
13 resource officers] who completed a mental health first aid training
14 program offered by the authority during the preceding fiscal year
15 categorized by local mental health authority or local behavioral
16 health authority region; and

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

24 (b) Not later than December 1 of each year, the commission
25 [~~department~~] shall compile the information submitted by local
26 mental health authorities or local behavioral health authorities as
27 required by Subsection (a) and submit a report to the legislature

1 containing:

2 (1) the number of authority employees and contractors
3 trained as mental health first aid trainers during the preceding
4 fiscal year, the number of trainers who left the program for any
5 reason during the preceding fiscal year, and the number of active
6 trainers;

7 (2) the number of [~~university employees,~~] school
8 district employees[~~]~~ and contractors, school resource officers,
9 open-enrollment charter school employees and contractors, private
10 school employees and contractors, and employees and contractors of
11 an institution of higher education who completed a mental health
12 first aid training program provided by an authority during the
13 preceding fiscal year categorized by:

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

16 (B) [~~university or~~] school district,
17 open-enrollment charter school, private school, and institution of
18 higher education, as applicable; [~~]~~ and

19 (C) category of personnel;

20 (3) the number of child-care facility employees and
21 contractors, youth, individuals with direct and recurring contact
22 with students, first responders, judges, and attorneys
23 [~~individuals who are not university employees, school district~~
24 ~~employees, or school resource officers]~~ who completed a mental
25 health first aid training program provided by an authority during
26 the preceding fiscal year categorized by local mental health
27 authority or local behavioral health authority region;

1 (4) the number of military service members, veterans,
2 and immediate family members of military service members and
3 veterans who completed the veterans module or standard version of a
4 mental health first aid training program provided by an authority
5 during the preceding fiscal year categorized by local mental health
6 authority or local behavioral health authority region and the
7 training program completed; and

8 (5) a detailed accounting of expenditures of money
9 appropriated for the purpose of implementing this subchapter.

10 (c) The commission [~~department~~] shall develop and provide
11 to local mental health authorities and local behavioral health
12 authorities a form to be used for the reporting of information
13 required under Subsection (a), including the reporting of each
14 category of personnel described by that subsection.

15 SECTION 6. Section 1001.206, Health and Safety Code, is
16 amended to read as follows:

17 Sec. 1001.206. LIABILITY. A person who has completed a
18 mental health first aid training program offered by a local mental
19 health authority or local behavioral health authority under this
20 subchapter and who in good faith attempts to assist an individual
21 experiencing a mental health crisis is not liable in civil damages
22 for an act performed in attempting to assist the individual unless
23 the act is wilfully or wantonly negligent.

24 SECTION 7. The following sections of the Health and Safety
25 Code are repealed:

26 (1) Section 1001.2015; and

27 (2) Section 1001.2031.

1 SECTION 8. This Act takes effect September 1, 2023.

President of the Senate

Speaker of the House

I certify that H.B. No. 2059 was passed by the House on April 14, 2023, by the following vote: Yeas 129, Nays 14, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 2059 was passed by the Senate on May 15, 2023, by the following vote: Yeas 30, Nays 1.

Secretary of the Senate

APPROVED: _____

Date

Governor