

By: Price

H.B. No. 2059

A BILL TO BE ENTITLED

1 AN ACT

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

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

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

7 Sec. 1001.201. DEFINITIONS. In this subchapter:

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

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

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

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

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

18 (6) [~~2~~] "Local mental health authority" has the
19 meaning assigned by Section 531.002.

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

23 (8) [~~3~~] "Regional education service center" means a
24 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 ~~[(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 department shall make grants to local mental
6 health authorities or local behavioral health authorities to
7 provide at no cost an approved mental health first aid training
8 program~~[,]~~ administered by mental health first aid trainers~~[, at no~~
9 ~~cost]~~ to any of the following individuals:

10 (1) [university employees,] school district
11 employees;

12 (2) employees of:

13 (A) an institution of higher education;

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

15 (C) a private school;

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

18 (4) youth;

19 (5) individuals with direct and continuous contact
20 with students;

21 (6) first responders;

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

25 (8) judges and attorneys, as applicable based on the
26 practice of law of the judge or attorney ~~[, and school resource~~
27 ~~officers]~~.

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

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

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

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

16 (3) include:

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

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

25 (C) experiential activities to increase
26 participants' understanding of the impact of mental illness on
27 individuals and families; and

1 (D) a presentation of evidence-supported
2 treatment and self-help strategies.

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

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

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

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

23 (1) to train individuals in mental health first aid
24 throughout the authority's local service area to maximize the
25 number of children who have direct contact with an individual who
26 has successfully completed a mental health first aid training
27 program provided by the authority;

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

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

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

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

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

15 (1) employees and contractors of the authority who
16 were trained as mental health first aid trainers under Section
17 1001.202 during the preceding fiscal year, the number of trainers
18 who left the program for any reason during the preceding fiscal
19 year, and the number of active trainers;

20 (2) [~~university employees,~~] school district
21 employees, open-enrollment charter school employees, private
22 school employees, and employees of an institution of higher
23 education [~~school resource officers~~] who completed a mental health
24 first aid training program offered by the authority under Section
25 1001.203 during the preceding fiscal year categorized by:

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

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

4 (C) category of personnel;

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

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

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

25 (1) the number of authority employees and contractors
26 trained as mental health first aid trainers during the preceding
27 fiscal year, the number of trainers who left the program for any

1 reason during the preceding fiscal year, and the number of active
2 trainers;

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

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

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

14 (C) category of personnel;

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

23 (4) the number of active military service members,
24 veterans, and immediate family members of active military service
25 members and veterans who completed the veterans module or standard
26 version of a mental health first aid training program provided by an
27 authority during the preceding fiscal year categorized by local

1 mental health authority or local behavioral health authority region
2 and the training program completed; and

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

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

10 SECTION 6. Section [1001.206](#), Health and Safety Code, is
11 amended to read as follows:

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

19 SECTION 7. The following sections of the Health and Safety
20 Code are repealed:

21 (1) Section [1001.2015](#); and

22 (2) Section [1001.2031](#).

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