

By: West

S.B. No. 137

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to a counseling and crisis management program for relative  
3 or other designated caregivers and children in the managing  
4 conservatorship of the Department of Family and Protective  
5 Services.

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

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

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

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

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

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

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

24 (1) deployed to the location of the child or the

1 relative or other designated caregiver requiring intervention  
2 services; and

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

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

6 (1) a licensed psychologist;

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

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

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

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

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

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

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

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

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

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

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

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