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| BILL ANALYSIS |

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| H.B. 5342 |
| By: Landgraf |
| Public Health |
| Committee Report (Unamended) |

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| **BACKGROUND AND PURPOSE**  The bill author has informed the committee that, since its launch, the 988 line has become a critical mental health resource, providing immediate life-saving support to individuals experiencing a mental health crisis. However, the bill author has further informed the committee that all five of Texas' 988 contact centers currently operate on limited federal grant funding, and as the demand for crisis services continues to grow, this funding alone is insufficient to ensure timely and effective responses for all Texans in crisis. H.B. 5342 seeks to support 988 crisis contact centers by establishing a mechanism for state investment as well as obtaining information regarding current and future needs for the program. |
| **CRIMINAL JUSTICE IMPACT**  It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision. |
| **RULEMAKING AUTHORITY**  It is the committee's opinion that rulemaking authority is expressly granted to the executive commissioner of the Health and Human Services Commission in SECTION 1 of this bill. |
| **ANALYSIS**  H.B. 5342 amends the Government Code to establish the 988 suicide and crisis lifeline trust fund as a trust fund to be held by the comptroller of public accounts outside the state treasury and administered by the Health and Human Services Commission (HHSC). The trust fund consists of the following:   * revenue derived from the 988 suicide and crisis lifeline fee; * legislative appropriations of money for the purposes of behavioral health crisis services; * available federal funding the state allocates for the purposes of the 988 Suicide & Crisis Lifeline; * gifts, grants, and donations received by the state for the purposes of the trust fund; * interest, dividends, and other income of the trust fund; and * money from any other source that is deposited in or transferred to the trust fund.   The bill restricts the use of money deposited in the trust fund to do the following:   * implement, maintain, or improve the 988 Suicide & Crisis Lifeline, including personnel and technological infrastructure improvements necessary to achieve operational and clinical standards and best practices as provided by the National Suicide Prevention Lifeline; * provide funding for crisis outreach and other services a community mental health center provides in response to the 988 Suicide & Crisis Lifeline; * provide funding for uninsured individuals receiving crisis and stabilization services; * provide personnel for crisis centers, mobile crisis outreach teams, and youth crisis outreach teams; * fund data provision, reporting, participation in evaluations, and other related quality improvement activities; and * administer, oversee, and evaluate the trust fund.   The bill prohibits the state from transferring or using trust fund assets for any purpose other than the uses provided in the bill's provisions and requires the executive commissioner of HHSC to submit an annual report to the legislature and the FCC detailing the trust fund deposits and expenditures in the preceding year.  H.B. 5342 authorizes HHSC, in collaboration with the Commission on State Emergency Communications, to impose a 988 suicide and crisis lifeline service fee to supplement any federal, state, or local funding for suicide prevention or behavioral health crisis services on each of the following:   * local exchange access line or equivalent local exchange access line, not including public telephone equipment operated by coin or by card reader; * wireless telecommunications connection; * Voice over Internet Protocol service connection; and * purchase of a prepaid wireless telecommunications service by any method.   The bill requires the executive commissioner of HHSC by rule to set the fee in an amount sufficient to cover the costs of creating, operating, and maintaining the suicide prevention services provided under the bill's provisions, according to the national guidelines for crisis services. HHSC must periodically adjust the fee amount as necessary to provide for continuous operation, volume increases, and maintenance. The bill requires revenue from the fee to be deposited in the 988 suicide and crisis lifeline trust fund established under the bill's provisions and restricts the use of a fee collected only to offset costs as provided by federal law. The bill prohibits revenue from the fee from being used for expenses that are reimbursable through Medicaid, Medicare, or another insurer or governmental program, or covered because the service recipient's name and health coverage information cannot be obtained or billed.  H.B. 5342 requires the executive commissioner of HHSC to submit an annual report to the legislature and the FCC detailing the revenue generated by the fee in the preceding year. The bill requires HHSC to prepare an annual report of the usage of crisis centers and the services provided by the centers and to present the annual report to the legislature and the Substance Abuse and Mental Health Services Administration. |
| **EFFECTIVE DATE**  September 1, 2025. |