89R4048 MPF-F

By:  Menéndez S.B. No. 188

A BILL TO BE ENTITLED

AN ACT

relating to the provision of behavioral health crisis services, including the operation of crisis centers and mobile crisis outreach teams; authorizing a fee.

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

SECTION 1.  Chapter 547, Government Code, as effective April 1, 2025, is amended by adding Subchapter K to read as follows:

SUBCHAPTER K. BEHAVIORAL HEALTH CRISIS SERVICES

Sec. 547.0501.  DEFINITIONS. In this subchapter:

(1)  "Crisis center" means a 988 Suicide & Crisis Lifeline center participating in the National Suicide Prevention Lifeline network to respond to statewide or regional communications.

(2)  "Mobile crisis outreach team" means a team of qualified mental health professionals who provide crisis services, including:

(A)  facilitating emergency care services;

(B)  providing urgent care services; and

(C)  providing crisis follow-up and relapse prevention services.

(3)  "Youth crisis outreach team" means a mobile crisis outreach team designed primarily to serve children or adolescents.

Sec. 547.0502.  CRISIS CENTER STANDARDS. (a) A crisis center operating in this state shall:

(1)  contract with the 988 Suicide & Crisis Lifeline;

(2)  satisfy the requirements of and best practices identified by the 988 Suicide & Crisis Lifeline;

(3)  provide and report any applicable data;

(4)  be equipped to deploy a mobile crisis outreach team or youth crisis outreach team;

(5)  satisfy the requirements for serving at-risk and specialized populations as identified by the Substance Abuse and Mental Health Services Administration;

(6)  provide linguistically and culturally competent care, including by requiring training and providing policies for transferring a crisis center caller to an appropriate mental health care provider; and

(7)  provide follow-up services to individuals who call the crisis center, as appropriate.

(b)  The executive commissioner shall adopt rules to allow appropriate information sharing and communication across crisis response systems and emergency response systems to provide real-time crisis care coordination.

Sec. 547.0503.  CRISIS CARE COORDINATION. (a) The commission shall ensure that an individual who contacts a crisis center is provided ongoing care through active collaboration and coordination of services among crisis centers and mental health and substance use disorder treatment providers, community mental health centers, certified community behavioral health clinics, community behavioral health centers, mobile crisis outreach teams, youth crisis outreach teams, hospital emergency departments, and inpatient psychiatric settings.

(b)  The commission may contract with the entities listed under Subsection (a) to ensure the coordination of services.

Sec. 547.0504.  988 SUICIDE AND CRISIS LIFELINE TRUST FUND. (a) The 988 suicide and crisis lifeline trust fund is established as a trust fund to be held by the comptroller outside the state treasury and administered by the commission.

(b)  The trust fund consists of:

(1)  revenue derived from the fee described by Section 547.0505;

(2)  legislative appropriations of money for the purposes of this subchapter;

(3)  available federal funding this state allocates for the purposes of the 988 Suicide & Crisis Lifeline;

(4)  gifts, grants, and donations received by this state for the purposes of the trust fund;

(5)  interest, dividends, and other income of the trust fund; and

(6)  money from any other source that is deposited in or transferred to the trust fund.

(c)  Money deposited in the trust fund may only be used to:

(1)  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;

(2)  provide funding for crisis outreach and other services a community mental health center provides in response to the 988 Suicide & Crisis Lifeline;

(3)  provide funding for uninsured individuals receiving crisis and stabilization services;

(4)  provide personnel for crisis centers, mobile crisis outreach teams, and youth crisis outreach teams;

(5)  fund data provision, reporting, participation in evaluations, and other related quality improvement activities; and

(6)  administer, oversee, and evaluate the trust fund.

(d)  The state may not transfer or use trust fund assets for any purpose other than the uses provided in this section.

(e)  The executive commissioner shall submit an annual report to the legislature and the Federal Communications Commission detailing the trust fund deposits and expenditures in the preceding year.

Sec. 547.0505.  988 SUICIDE AND CRISIS LIFELINE FEE. (a) The commission, in collaboration with the Commission on State Emergency Communications, may 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:

(1)  local exchange access line or equivalent local exchange access line, not including public telephone equipment operated by coin or by card reader;

(2)  wireless telecommunications connection;

(3)  Voice over Internet Protocol service connection; and

(4)  purchase of a prepaid wireless telecommunications service by any method.

(b)  The executive commissioner by rule shall set the fee in an amount sufficient to cover the costs of creating, operating, and maintaining the suicide prevention services provided under this subchapter, according to the national guidelines for crisis services. The commission shall periodically adjust the fee amount as necessary to provide for continuous operation, volume increases, and maintenance.

(c)  Revenue from the fee shall be deposited in the 988 suicide and crisis lifeline trust fund established under Section 547.0504.

(d)  A fee collected under this section may only be used to offset costs as provided by 47 U.S.C. Section 251a.

(e)  Revenue from the fee may not be used for expenses that are:

(1)  reimbursable through Medicaid, Medicare, or another insurer or governmental program; or

(2)  covered because the service recipient's name and health coverage information cannot be obtained or billed.

(f)  The executive commissioner shall submit an annual report to the legislature and the Federal Communications Commission detailing the revenue generated by the fee in the preceding year.

Sec. 547.0506.  ANNUAL REPORT. (a) The commission shall prepare an annual report of the usage of crisis centers and the services provided by the centers.

(b)  The commission shall present the annual report to the legislature and the Substance Abuse and Mental Health Services Administration.

SECTION 2.  This Act takes effect September 1, 2025.