By: Campos H.B. No. 1165

A BILL TO BE ENTITLED

AN ACT

relating to the administration of funding for the coordination of mental health, substance use, and public health care services in this state.

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

SECTION 1. Chapter 403, Government Code, is amended by adding Subchapter X to read as follows:

SUBCHAPTER X. MENTAL HEALTH, SUBSTANCE USE, AND PUBLIC HEALTH INITIATIVES

Sec. 403.801. DEFINITIONS. In this subchapter:

(1) "Council" means the mental health, substance use, and public health initiative council established by Section 403.802.

(2) "Executive commissioner" means the executive commissioner of the Health and Human Services Commission.

(3) "Fund" means the mental health, substance use, and public health initiative fund established by Section 403.803.

Sec. 403.802. MENTAL HEALTH, SUBSTANCE USE, AND PUBLIC HEALTH INITIATIVE COUNCIL. (a) The mental health, substance use, and public health initiative council is established to ensure that money allocated to the mental health, substance use, and public health initiative fund is distributed fairly and spent to improve the coordination between mental health, substance use, and public health care services in this state.

(b) The council is composed of the following 14 members:

(1) one member appointed by the governor who is a current or retired health care operations professional with 10 or more years of experience in matters of mental health, substance use, and public health;

(2) one member appointed by the lieutenant governor who is a current or retired health care operations professional with 10 or more years of experience in matters of mental health, substance use, and public health;

(3) one member appointed by the speaker of the house of representatives who is a current or retired health care operations professional with 10 or more years of experience in matters of mental health, substance use, and public health;

(4) three members appointed by the executive commissioner who are from academia or the medical profession and have significant experience in matters of mental health, substance use, and public health;

(5) seven members appointed by the executive commissioner as follows:

(A) one member who is a current or former employee of a rural hospital district;

(B) one member who is a current or former employee of a local health authority;

(C) one member who is a current or former employee of a local mental health authority, as defined by Section 531.002, Health and Safety Code;

(D) one member who is a current or former

employee of a federally qualified health center in this state;

(E) one member who has lived experience with a mental health condition or substance abuse condition; and

(F) two members with at least 10 years of experience working with a health philanthropy nonprofit organization or foundation; and

(6) the comptroller or the comptroller's designee.

(c) The comptroller or the comptroller's designee serves as the presiding officer of the council and is a nonvoting member.

(d) In making appointments under Subsection (b)(4), the executive commissioner shall appoint members from lists provided by the governing bodies of six rural counties and six rural municipalities selected by the executive commissioner with each list naming two qualified candidates with significant experience in substance use treatment, education, and research.

(e) In making appointments under Subsection (b), the governor, lieutenant governor, and speaker of the house of representatives shall coordinate to ensure that the membership of the council reflects, to the extent possible, the ethnic and geographic diversity of this state.

(f) The council is administratively attached to the Department of State Health Services. The Department of State Health Services shall provide the staff and facilities necessary to assist the council in performing its duties.

(g) A decision by the council to award a grant under Section 403.804 requires the unanimous approval of all members of the council.

(h) The council is subject to Chapter 551.

Sec. 403.803. MENTAL HEALTH, SUBSTANCE USE, AND PUBLIC HEALTH INITIATIVE FUND. (a) The mental health, substance use, and public health initiative fund is a special fund outside the general revenue fund in the state treasury to be administered by the council.

(b) The fund consists of:

(1) money the legislature appropriates for deposit to the credit of the fund for purposes of this subchapter;

(2) gifts, donations, and grants to the fund;

(3) interest earned on the investment of money in the fund; and

(4) money from any source, including the federal government, designated for deposit to the credit of the fund.

(c) Money in the fund may be appropriated only to the council for the purpose of awarding grants in accordance with Section 403.804.

Sec. 403.804. ESTABLISHMENT OF GRANT PROGRAM. (a) The council shall establish a grant program to award grants for programs that improve the coordination between mental health, substance use, and public health care services in this state providing services to individuals with co-occurring mental health and substance use disorders.

(b) A program funded through a grant awarded under this subchapter must improve the coordination between mental health, substance use, and public health care services in this state through:

(1) evidence-based preventative or therapeutic measures, research, the implementation of new technology, data collection, education programs, or capital improvements; and

(2) providing an efficient and cost-effective method directed to support the coordination of personnel, capital improvements, data interoperability, or long-term financial sustainability of mental health care, substance use treatment, and public health care providers.

(c) Annually, the council shall establish procedures for submitting, accepting, and evaluating grant applications under this subchapter.

(d) The council, in coordination with the statewide behavioral health coordinating council established under Subchapter D, Chapter 547, shall evaluate grant applications at least biennially.

Sec. 403.805. ANNUAL REPORT. Not later than October 1 of each year, the council shall submit a written report to the legislature that includes:

(1) a detailed description and the amount of each grant awarded by the council during the preceding state fiscal year using money in the fund; and

(2) the balance of the fund on September 1 of the state fiscal year in which the report is submitted.

Sec. 403.806. RULES. The council shall adopt rules to implement this subchapter.

SECTION 2. As soon as practicable after the effective date of this Act, the executive commissioner of the Health and Human

Services Commission, the governor, the lieutenant governor, and the speaker of the house of representatives shall appoint the members of the mental health, substance use, and public health initiative council as provided by Section 403.802, Government Code, as added by this Act.

SECTION 3. Notwithstanding Section 403.805, Government Code, as added by this Act, the mental health, substance use, and public health initiative council is not required to submit the first report under that section until October 1, 2028.

SECTION 4. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2027.