

## **BILL ANALYSIS**

C.S.H.B. 2220  
By: Coleman  
Public Education  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Mental health first aid is an evidence-based training program that educates non-medical professionals in strategies and resources to be used in responding to an individual who is developing a mental health problem or experiencing a crisis. According to informed parties, participants in the training program learn how to assess risk, listen to and support the individual in crisis, and identify professional resources and supports. The program can be taught to anyone, although it is especially relevant for professionals who regularly interact with Texas youth, such as teachers, health care workers, police officers, and faith leaders. Recent legislation provided voluntary, no-cost mental health first aid training to educators. C.S.H.B. 2220 seeks to expand the availability of this training.

### **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 this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

C.S.H.B. 2220 amends the Health and Safety Code to specify that the educators provided training in mental health first aid through a Department of State Health Services (DSHS) grant program are school district employees and school resource officers. The bill defines "school district employee" as a person employed by a school district who regularly interacts with students through the course of the person's duties, including an educator, a secretary, a school bus driver, or a cafeteria worker, and defines "school resource officer" as a peace officer who is assigned by the officer's employing political subdivision to provide a police presence at a public school, safety or drug education to students of a public school, or other similar services. The bill specifies that it is these same employees and officers whose successful completion of such training provided by a local mental health authority triggers the requirement for grants to be awarded by DSHS to the authority.

C.S.H.B. 2220 authorizes DSHS, for each state fiscal year, to allocate any unobligated money appropriated for making grants for training mental health first aid trainers and training certain educators in mental health first aid for supplemental grants, which DSHS may give to a local mental health authority that submits to DSHS a revised plan for mental health first aid training programs that demonstrates how the additional grant money would be used if made available to the authority. The bill changes from not later than October 1 of each state fiscal year to not later than July 1 of each state fiscal year the deadline by which a local mental health authority must submit such a plan to DSHS.

C.S.H.B. 2220 changes the deadline by which a local mental health authority must provide certain information regarding mental health first aid training programs to DSHS from not later than July 1 of each year to not later than September 30 of each year and changes the time frame to which the information applies from the preceding calendar year to the preceding fiscal year. The bill specifies that the information provided to DSHS regarding the number of employees and contractors of the authority who were trained as mental health first aid trainers must include the number of such individuals who were trained during the preceding fiscal year. The bill changes the deadline by which DSHS must compile the information submitted by local mental health authorities and submit that information in a report to the legislature from not later than August 1 of each year to not later than December 1 of each year.

C.S.H.B. 2220 repeals provisions capping the amount of grants DSHS may award for each state fiscal year to a local mental health authority for training of mental health first aid trainers and for training certain educators in mental health first aid and instead caps the amount DSHS may give to a local mental health authority for each state fiscal year in the form of such grants at the lesser of \$70,000 or three percent of the total amount appropriated to DSHS for making those grants.

C.S.H.B. 2220 repeals the following Health and Safety Code provisions, as added by Chapter 1306 (H.B. 3793), Acts of the 83rd Legislature, Regular Session, 2013:

- Section 1001.202(c)
- Section 1001.203(b)

### **EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2015.

### **COMPARISON OF ORIGINAL AND SUBSTITUTE**

While C.S.H.B. 2220 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

#### INTRODUCED

SECTION 1. Section 1001.201, Health and Safety Code, as added by Chapter 1306 (H.B. 3793), Acts of the 83rd Legislature, Regular Session, 2013, is amended by adding Subdivisions (4) and (5) to read as follows:

(4) "School district employee" means a principal, assistant principal, educator, teacher's aide, counselor, nurse, or school bus driver employed by a school district.

(5) "School resource officer" has the meaning assigned by Section 1701.601, Occupations Code.

No equivalent provision.

#### HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Section 1001.201, Health and Safety Code, as added by Chapter 1306 (H.B. 3793), Acts of the 83rd Legislature, Regular Session, 2013, is amended by adding Subdivisions (4) and (5) to read as follows:

(4) "School district employee" means a person employed by a school district who regularly interacts with students through the course of the person's duties, including an educator, a secretary, a school bus driver, or a cafeteria worker.

(5) "School resource officer" has the meaning assigned by Section 1701.601, Occupations Code.

SECTION 2. Subchapter H, Chapter 1001, Health and Safety Code, as added by Chapter 1306 (H.B. 3793), Acts of the 83rd Legislature, Regular Session, 2013, is amended by adding Section 1001.2015 to read as follows:

Sec. 1001.2015. LIMITATION ON GRANTS. For each state fiscal year, the department may give to a local mental health authority in the form of grants under Sections 1001.202 and 1001.203 an amount that may not exceed the lesser of:

- (1) three percent of the total amount appropriated to the department for making grants under those sections; or
- (2) \$70,000.

No equivalent provision.

SECTION 3. Section 1001.202(b), Health and Safety Code, as added by Chapter 1306 (H.B. 3793), Acts of the 83rd Legislature, Regular Session, 2013, is amended to read as follows:

(b) ~~The [Except as provided by Subsection (e), the]~~ department shall make each grant to a local mental health authority under this section in an amount equal to \$1,000 times the number of employees or contractors of the authority whose training as mental health first aid trainers will be paid by the grant.

SECTION 2. Sections 1001.203(a) and (c), Health and Safety Code, as added by Chapter 1306 (H.B. 3793), Acts of the 83rd Legislature, Regular Session, 2013, are amended to read as follows:

(a) To the extent funds are appropriated to the department for that purpose, the department shall make grants to local mental health authorities to provide an approved mental health first aid training program, administered by mental health first aid trainers, at no cost to school district employees and school resource officers [educators].

(c) Subject to the limit provided by Subsection (b), out of the funds appropriated to the department for making grants under this section, the department shall grant \$100 to a local mental health authority for each school district employee or school resource officer [educator] who successfully completes a mental health first aid training program provided by the authority under this section.

No equivalent provision.

SECTION 4. Sections 1001.203(a) and (c), Health and Safety Code, as added by Chapter 1306 (H.B. 3793), Acts of the 83rd Legislature, Regular Session, 2013, are amended to read as follows:

(a) To the extent funds are appropriated to the department for that purpose, the department shall make grants to local mental health authorities to provide an approved mental health first aid training program, administered by mental health first aid trainers, at no cost to school district employees and school resource officers [educators].

(c) ~~The [Subject to the limit provided by Subsection (b), out of the funds appropriated to the department for making grants under this section, the]~~ department shall grant \$100 to a local mental health authority for each school district employee or school resource officer [educator] who successfully completes a mental health first aid training program provided by the authority under this section.

SECTION 5. Subchapter H, Chapter 1001, Health and Safety Code, as added by Chapter 1306 (H.B. 3793), Acts of the 83rd Legislature, Regular Session, 2013, is amended by adding Section 1001.2031 to read as follows:

Sec. 1001.2031. SUPPLEMENTAL GRANTS FOR TRAINING CERTAIN EDUCATORS IN MENTAL HEALTH FIRST AID. For each state fiscal year, the department may allocate any unobligated money appropriated for making grants under Sections 1001.202 and 1001.203 for supplemental grants. The department may give a supplemental grant to a local mental health authority that submits to the department a revised plan as provided under Section 1001.204 that demonstrates how the additional grant money would be used if made available to the authority.

No equivalent provision.

SECTION 6. Section 1001.204(a), Health and Safety Code, as added by Chapter 1306 (H.B. 3793), Acts of the 83rd Legislature, Regular Session, 2013, is amended to read as follows:

(a) Not later than July [~~October~~] 1 of each state fiscal year for which a local mental health authority will seek a grant from the department under Section 1001.203, the authority shall submit to the department a plan demonstrating the manner in which grants made to the authority under that section will be used:

- (1) to train individuals in mental health first aid throughout the authority's local service area to maximize the number of children who have direct contact with an individual who has successfully completed a mental health first aid training program provided by the authority;
- (2) to meet the greatest needs of the authority's local service area, as identified by the authority; and
- (3) to complement existing resources and not duplicate established mental health first aid training efforts.

SECTION 3. Section 1001.205, Health and Safety Code, as added by Chapter 1306 (H.B. 3793), Acts of the 83rd Legislature, Regular Session, 2013, is amended to read as follows:

Sec. 1001.205. REPORTS. (a) Not later than August 31 [~~July 1~~] of each year, a local mental health authority shall provide to the department the number of:

- (1) employees and contractors of the authority who were trained as mental health first aid trainers under Section 1001.202 during the preceding calendar year;
- (2) educators, school district employees

SECTION 7. Section 1001.205, Health and Safety Code, as added by Chapter 1306 (H.B. 3793), Acts of the 83rd Legislature, Regular Session, 2013, is amended to read as follows:

Sec. 1001.205. REPORTS. (a) Not later than September 30 [~~July 1~~] of each year, a local mental health authority shall provide to the department the number of:

- (1) employees and contractors of the authority who were trained as mental health first aid trainers under Section 1001.202 during the preceding fiscal year;
- (2) educators, school district employees

other than educators, and school resource officers who completed a mental health first aid training program offered by the authority under Section 1001.203 during the preceding calendar year; and

(3) individuals who are not school district employees or school resource officers [educators] who completed a mental health first aid training program offered by the authority during the preceding calendar year.

(b) Not later than September 30 [August 1] of each year, the department shall compile the information submitted by local mental health authorities as required by Subsection (a) and submit a report to the legislature containing the number of:

(1) authority employees and contractors trained as mental health first aid trainers during the preceding calendar year;

(2) educators, school district employees other than educators, and school resource officers who completed a mental health first aid training program provided by an authority during the preceding calendar year; and

(3) individuals who are not school district employees or school resource officers [educators] who completed a mental health first aid training program provided by an authority during the preceding calendar year.

No equivalent provision.

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, 2015.

other than educators, and school resource officers who completed a mental health first aid training program offered by the authority under Section 1001.203 during the preceding fiscal [calendar] year; and

(3) individuals who are not school district employees or school resource officers [educators] who completed a mental health first aid training program offered by the authority during the preceding fiscal [calendar] year.

(b) Not later than December 1 [August 1] of each year, the department shall compile the information submitted by local mental health authorities as required by Subsection (a) and submit a report to the legislature containing the number of:

(1) authority employees and contractors trained as mental health first aid trainers during the preceding fiscal year;

(2) educators, school district employees other than educators, and school resource officers who completed a mental health first aid training program provided by an authority during the preceding fiscal [calendar] year; and

(3) individuals who are not school district employees or school resource officers [educators] who completed a mental health first aid training program provided by an authority during the preceding fiscal [calendar] year.

SECTION 8. The following are repealed:

(1) Section 1001.202(c), Health and Safety Code, as added by Chapter 1306 (H.B. 3793), Acts of the 83rd Legislature, Regular Session, 2013; and

(2) Section 1001.203(b), Health and Safety Code, as added by Chapter 1306 (H.B. 3793), Acts of the 83rd Legislature, Regular Session, 2013.

SECTION 9. Same as introduced version.