

BILL ANALYSIS

C.S.H.B. 3088
By: Coleman
Public Health
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Past legislatures have established certain mental health grant programs administered by the Health and Human Services Commission. These programs include the community mental health grant program, the Texas Veterans + Family Alliance grant program, the mental health grant program for justice-involved individuals, and the grant program for the establishment and expansion of community collaboratives. It has been suggested that the matching fund requirements need to be lowered to help these programs access targeted resources. C.S.H.B. 3088 seeks to provide these programs greater access to those resources by revising the amounts of contributions a grant recipient leverages for such access and by capping certain administrative costs for implementing the grant programs.

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. 3088 amends the Government Code to set out provisions relating to the administration of certain mental health grant programs established by the Health and Human Services Commission (HHSC). The bill includes, among those provisions, changes regarding the amount of leveraged funds required for specified programs from applicable grant recipients.

Community Mental Health Programs

C.S.H.B. 3088, with respect to the program established for the purpose of supporting community mental health programs providing services and treatment to individuals, changes the population thresholds triggering the requirement for the community to leverage funds in an amount equal to 50 percent of the grant amount for a program located in a county with a population of less than 250,000. The bill provides instead that an applicable community must leverage an amount at least equal to the following:

- 25 percent of the grant amount if the community mental health program is located in a county with a population of less than 100,000; or
- 50 percent of the grant amount if the community mental health program is located in a county with a population of 100,000 or more but less than 250,000.

In addition, the bill does the following with respect to such a program:

- retains the statutory requirement for the matching funds to be equal to the percentage of the grant amount otherwise required for the largest county in which an applicable

community mental health program is located if such a program is located in more than one county;

- changes from each calendar year to each even-numbered year the frequency with which the executive commissioner of HHSC must submit to the governor, the lieutenant governor, and each member of the legislature a report evaluating the success of the grant program; and
- authorizes a reasonable amount not to exceed five percent of the money appropriated by the legislature for the purposes of the program to be used by HHSC to pay administrative costs of implementing the applicable provisions.

Veterans Community Mental Health Programs

Veterans Programs in a Single County

C.S.H.B. 3088, with respect to the programs that are established for the purpose of supporting community mental health programs providing services and treatment to veterans and their families in a single county, changes the population thresholds triggering the requirement for the potential grant recipient to leverage funds from non-state sources in an amount at least equal to 50 percent of the grant amount for a program provides services and treatment in a county with a population of less than 250,000. The bill provides instead that HHSC must condition each grant on a potential grant recipient providing funds from non-state sources in a total amount at least equal to the following:

- 25 percent of the grant amount if the community mental health program to be supported by the grant provides services and treatment in a county with a population of less than 100,000; or
- 50 percent of the grant amount if the community program to be supported by the grant provides services and treatment in a county with a population of 100,000 or more but less than 250,000.

In addition, the bill does the following with respect to such a program providing services and treatment in a single county:

- retains the statutory requirement for the matching funds from non-state sources for such a program to be equal to 100 percent of the grant amount if the program to be supported provides services and treatment in a county with a population of 250,000 or more; and
- authorizes a reasonable amount not to exceed five percent of the money appropriated by the legislature for the purposes of the program to be used by HHSC to pay administrative costs of implementing the applicable provisions.

Veterans Programs in More than One County

C.S.H.B. 3088, with respect to the programs established for the purpose of supporting community mental health programs providing services and treatment to veterans and their families in more than one county, changes the population thresholds triggering the requirement for the potential grant recipient to leverage funds from non-state sources in a total amount at least equal to 50 percent of the grant amount if the largest county in which the program to be supported by the grant provides services and treatment has a population of less than 250,000 to provide. The bill provides instead that HHSC must condition each grant on a potential grant recipient providing funds from non-state sources in a total amount at least equal to the following:

- 25 percent of the grant amount if the county with the largest population in which the community mental health program to be supported by the grant provides services and treatment has a population of less than 100,000; or
- 50 percent of the grant amount if the county with the largest population in which the community mental health program to be supported by the grant provides services and treatment has a population of 100,000 or more but less than 250,000.

In addition, the bill does the following with respect to such a program providing services and treatment in more than one county:

- retains the statutory requirement for the matching funds from non-state sources for such a program to be equal to 100 percent of the grant amount if the county with the largest population in which the program to be supported provides services and treatment has a population of 250,000 or more; and
- authorizes a reasonable amount not to exceed five percent of the money appropriated by the legislature for the purposes of the program to be used by HHSC to pay administrative costs of implementing the applicable provisions.

Community Collaboratives

Grants for Collaboratives to Reduce Recidivism, Arrest, and Incarceration

C.S.H.B. 3088 sets out provisions regarding the grant programs for community collaboratives established to reduce recidivism, arrest, and incarceration among individuals with mental illness and to reduce the wait time for forensic commitment. The bill changes the population thresholds triggering the requirement for a collaborative to leverage funds from non-state sources in a total amount at least equal to 50 percent of the grant amount if the collaborative includes a county with a population of less than 250,000. The bill provides instead that HHSC must condition each grant on a collaborative providing funds from non-state sources in a total amount at least equal to the following:

- 25 percent of the grant amount if the collaborative includes a county with a population of less than 100,000; or
- 50 percent of the grant amount if the collaborative includes a county with a population of 100,000 or more but less than 250,000.

In addition, the bill does the following with respect to this type of collaborative:

- retains the statutory requirement for the matching funds from non-state sources for such a collaborative to be equal to the following:
 - 100 percent of the grant amount if the collaborative includes a county with a population of 250,000 or more; and
 - if the collaborative includes more than one county, the percentage of the grant amount otherwise required for the largest county included in the collaborative; and
- authorizes a reasonable amount not to exceed five percent of the money appropriated by the legislature for the purposes of this type of collaborative to be used by HHSC to pay administrative costs of implementing the applicable provisions.

Grants for the Establishment and Expansion of Community Collaboratives

C.S.H.B. 3088 sets out provisions with respect to grants for the establishment and expansion of community collaboratives to provide the following:

- rather than being required to leverage additional funding or in-kind contributions from only private sources in an amount that is at least equal to the amount of the awarded grant, an entity awarded a grant to establish or expand a community collaborative must instead leverage the funding or contributions from private contributors or local governments, excluding state or federal funds; and
- rather than being required to leverage additional funding from private sources in an amount equal to one-quarter of the amount of the grant to be awarded for the establishment of a community health program in a county with a population of less than 250,000, an entity otherwise meeting the statutory requirements who is awarded a grant must instead leverage the funding or contributions from private contributors or local governments, excluding state or federal funds.

C.S.H.B. 3088, with respect to the acceptable uses of grant money by a community collaborative, the reduction and cessation of funding for a community collaborative, and a cap on certain implementation costs, does the following:

- removes from the provision establishing the acceptable uses of grant money for a community collaborative the condition for an entity to use money received from a Department of State Health Services grant that the collaborative be self-sustaining within seven years;
- removes from the provision establishing the reasons for reducing or ceasing funding to an entity that the entity is not self-sustaining after seven years; and
- authorizes a reasonable amount not to exceed five percent of the money appropriated by the legislature for applicable purposes, as specified by the bill, to be used by the HHSC to pay administrative costs of implementing certain provisions, as specified by the bill.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2021.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 3088 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute includes provisions, which were not included in the original, authorizing a reasonable amount not to exceed five percent of the money appropriated by the legislature for specified purposes to be used by HHSC to pay administrative costs of implementing the specified provisions.

The substitute does not include the original's revisions that recast the descriptions of the largest applicable counties as descriptions of applicable counties with the largest population.

The substitute does not include the original's provision that made certain of the bill's provisions applicable to contracts entered into on or after September 1, 2021. However, the substitute does include a saving provision making all of the bill's provisions applicable to a grant awarded on or after the bill's effective date.