

BILL ANALYSIS

Senate Research Center
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C.S.S.B. 133
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Health & Human Services
2/17/2015
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Mental health first aid (MHFA) is an evidence-based training program that educates non-medical professionals about strategies and resources to respond to an individual who is developing a mental health problem or experiencing a crisis. Participants 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 key community professionals such as teachers, health care workers, police officers, and faith leaders who regularly interact with Texas youth.

Last session, the legislature passed a measure to provide voluntary, no-cost MHFA training to educators. C.S.S.B. 133 expands the availability of free MHFA training beyond teachers to include school counselors, nurses, teacher's aides, school bus drivers, principals, assistant principals, and school resource officers.

The committee substitute to S.B. 133 makes the following changes:

- Changes the definition of "school district employee" to include educators, secretaries, bus drivers, and cafeteria workers;
- Increases funding flexibility for local mental health authorities; and
- Changes the reporting requirement dates to align with the fiscal year instead of the calendar year.

As proposed, C.S.S.B. 133 amends current law relating to mental health first aid training for school district employees and school resource officers.

RULEMAKING AUTHORITY

Rulemaking authority previously granted to the Department of State Health Services (DSHS) is rescinded in SECTION 8 (Section 1001.202, Health and Safety Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 1001.201, Health and Safety Code, as added by Chapter 1306 (H.B. 3793), Acts of the 83rd Legislature, Regular Session, 2013, by adding Subdivision (4) to define "school district employee," and Subdivision (5) to define "school resource officer."

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

Sec. 1001.2015. LIMITATION ON GRANTS. Authorizes the Department of State Health Services (DSHS), for each state fiscal year, to 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 three percent of the total amount appropriated to DSHS making grants under those sections, or \$70,000.

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

(b) Deletes existing text providing Subsection (c) (relating to DSHS's rulemaking authority) as an exception to this subdivision. Requires DSHS to 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 4. Amends 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, as follows:

(a) Requires DSHS, to the extent funds are appropriated to DSHS for that purpose, to 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, rather than to educators.

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

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

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

SECTION 6. Amends Section 1001.204(a), Health and Safety Code, as added by Chapter 1306 (H.B. 3793), Acts of the 83rd Legislature, Regular Session, 2013, to require a local mental health authority to submit to DSHS a plan demonstrating the manner in which grants made to the authority under Section 1001.203 will be used to train individuals, to meet the needs of the local service area, and to complement existing resources not later than July 1, rather than not later than October 1, of each state fiscal year for which that authority seeks a grant.

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

Sec. 1001.205. REPORTS. (a) Requires that a local mental health authority not later than September 30, rather than not later than July 1, of each year, to provide to DSHS 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 fiscal year, rather than calendar year; and

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

(b) Requires DSHS, not later than December 1, rather than not later than August 1 of each year, to 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) 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 provided by an authority during the preceding fiscal year, rather than calendar year; and

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

SECTION 8. Repealer: Section 1001.202(c) (relating to rulemaking authority granted to DSHS), Health and Safety Code, as added by Chapter 1306 (H.B. 3793), Acts of the 83rd Legislature, Regular Session, 2013.

Repealer: Section 1001.203(b) (relating to requirements for grants awarded under this section), Health and Safety Code, as added by Chapter 1306 (H.B. 3793), Acts of the 83rd Legislature, Regular Session, 2013.

SECTION 9. Effective date: upon passage or September 1, 2015.