

BILL ANALYSIS

Senate Research Center
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H.B. 3088
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Health & Human Services
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

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. 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.

H.B. 3088 amends current law relating to the administration of certain mental health grant programs established by the Health and Human Services Commission.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 531.0991, Government Code, by amending Subsections (h) and (k) and adding Subsection (n), as follows:

(h) Requires a community that receives a grant under Section 531.0991 (Grant Program for Mental Health Services) to leverage funds in an amount:

(1) equal to 25 percent, rather than 50 percent, of the grant amount if the community mental health program is located in a county with a population of less than 100,000, rather than less than 250,000;

(2) equal to 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;

(3) and (4) creates these subdivisions from existing text and makes a nonsubstantive change.

(k) Requires the executive commissioner of the Health and Human Services Commission (HHSC) to submit to the governor, the lieutenant governor, and each member of the legislature a report evaluating the success of the matching grant program created by Section 531.0991 not later than December 1 of each even-numbered year, rather than December 1 of each calendar year.

(n) Authorizes a reasonable amount not to exceed five percent of the money appropriated by the legislature for the purposes of Section 531.0991 to be used by HHSC to pay administrative costs of implementing Section 531.0991.

SECTION 2. Amends Section 531.0992, Government Code, by amending Subsections (d-1) and (d-2) and adding Subsection (g), as follows:

(d-1) Requires HHSC, for services and treatment provided in a single county, to condition each grant provided under Section 531.0992 (Grant Program for Mental Health Services for Veterans and Their Families) on a potential grant recipient providing funds from non-state sources in a total amount at least equal to:

(1) 25 percent, rather than 50 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, rather than less than 250,000;

(2) 50 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 100,000 or more but less than 250,000; or

(3) creates this subdivision from existing text and makes no further changes.

(d-2) Requires HHSC, for a community mental health program that provides services and treatment in more than one county, to condition each grant provided under Section 531.0992 on a potential grant recipient providing funds from non-state sources in a total amount at least equal to:

(1) 25 percent, rather than 50 percent, of the grant amount if the county with the largest population, rather than the largest county, 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, rather than less than 250,000;

(2) 50 percent, rather than 100 percent, of the grant amount if the county with the largest population, rather than the largest county, 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, rather than a population of 250,000 or more; or

(3) 100 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 250,000 or more.

(g) Authorizes a reasonable amount not to exceed five percent of the money appropriated by the legislature for the purposes of Section 531.0992 to be used by HHSC to pay administrative costs of implementing Section 531.0992.

SECTION 3. Amends Section 531.0993, Government Code, by amending Subsection (c) and adding Subsection (j), as follows:

(c) Requires HHSC to condition each grant provided to a community collaborative under Section 531.0993 (Grant Program to Reduce Recidivism, Arrest, and Incarceration Among Individuals with Mental Illness and to Reduce Wait Time for Forensic Commitment) on the collaborative providing funds from non-state sources in a total amount at least equal to:

(1) 25 percent, rather than 50 percent, of the grant amount if the collaborative includes a county with a population of less than 100,000, rather than of less than 250,000;

(2) 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;

(3) and (4) creates these subdivisions from existing text and makes no further changes.

(j) Authorizes a reasonable amount not to exceed five percent of the money appropriated by the legislature for the purposes of Section 531.0993 to be used by HHSC to pay administrative costs of implementing Section 531.0993.

SECTION 4. Amends Sections 539.002(b) and (c), Government Code, as follows:

(b) Requires the Department of State Health Services (DSHS), except as provided by Subsection (c), to require each entity awarded a grant under Section 539.002 (Grants for Establishment and Expansion of Community Collaboratives) to:

(1) leverage additional funding or in-kind contributions from private contributors or local governments, excluding state or federal funds, rather than from private sources, in an amount that is at least equal to the amount of the grant awarded under Section 539.002; and

(2) and (3) makes no changes to these subdivisions.

(c) Authorizes DSHS to award a grant under Chapter 539 (Community Collaboratives) to an entity for the purpose of establishing a community mental health program in a county with a population of less than 250,000, if the entity leverages additional funding or in-kind contributions from private contributors or local governments, excluding state or federal funds, rather than leverages additional funding from private sources, in an amount equal to one-quarter of the amount of the grant to be awarded under Section 539.002, and the entity otherwise meets the requirements of Subsections (b)(2) and (3) (relating to requirements for an entity awarded a grant under Section 539.002).

SECTION 5. Amends Section 539.003, Government Code, to delete existing text requiring that a collaborative using money received from a grant by DSHS and private funding sources be self-sustaining within seven years.

SECTION 6. Amends Section 539.007, Government Code, to make a conforming change.

SECTION 7. Amends Chapter 539, Government Code, by adding Section 539.009, as follows:

Sec. 539.009. ADMINISTRATIVE COSTS. Authorizes a reasonable amount not to exceed five percent of the money appropriated by the legislature for the purposes of this subchapter to be used by HHSC to pay administrative costs of implementing this subchapter.

SECTION 8. Makes application of this Act prospective.

SECTION 9. Requires a state agency, if necessary for implementation of a provision of this Act, to request a waiver or authorization from a federal agency, and authorizes a delay of implementation until such a waiver or authorization is granted.

SECTION 10. Effective date: upon passage or September 1, 2021.