



# Mental Health: A Mid-Session Report

*March 28, 2011*

**Our mission is to improve the lives of Texas children by building commitment and action for improved public policy and programs.**

**As the state's first multi-issue child advocacy non-profit, we bring together groups from all over Texas in a united campaign for children.**



# The State Budget:

## HB 1/SB 1

The state appropriations bill for FY 2012-2013 is the most critical piece of legislation in the session, impacting mental health services and other supports across systems and agencies

# Budget:

## *DSHS: Mental Health and Substance Abuse Division*

As originally filed, HB 1 & SB 1 called for:

- 6% cut to Crisis Services
- 20% cut to Children & Adult Community MH Services
- 10% cut NorthSTAR Program
- 8% cut to Substance Use Services
- 4% cut to State & Community MH Hospitals
- Close one state hospital & privatize another

# Budget:

## *DSHS: Mental Health and Substance Abuse Division*

### House

CSHB 1 voted out of Committee:

- Crisis services RESTORED
- Cuts remain to Child & Adult Community MH, unless new funding found
- Privatize 2 state MH hospitals
- **Next Step – Vote on House Floor April 1**

### Senate

Committee finalizing recommendations for CSSB 1:

- Crisis, Community MH, MH Hospitals FULLY RESTORED
- **Next Step – Vote in full Senate Finance Committee**

# Budget:

## *Other Agencies*

### House – *CSHB1*

- Cuts remain to:
  - CHIP/Medicaid rates (10%)
  - ECI (20% fewer children)
  - DFPS Prevention/Early Intervention (55% reduction)
  - Juvenile Justice funding w/in TCOOMMI (funding eliminated)
  - State support of TIFI/CRCG (funding eliminated)
- Cuts to Communities in Schools PARTIALLY restored

### Senate –

#### *CSSB1 tentative decisions*

- Largely restore cuts to CHIP & Medicaid
  - 1% cut physicians
  - 3% cut to hospitals
- Cuts remain to:
  - ECI (20% fewer children)
  - DFPS Prevention & Early Intervention (55% reduction)
- Funding provided for new Veterans Health Initiative (CRCGs?)

# **Children's Mental Health: *Issues and Bills***

## **Enhancing Private Health Coverage**

- **Serious Emotional Disturbance (HB 1192/SB 574)**
- **Early Childhood Intervention (HB 2270)**
- **Eating Disorders (HB 1292)**
- **Suicide (HB 2228)**
- **Mental Health and Substance Abuse (HB 2300)**
- **Autism (HB 1321, HB 1744, HB 3557, SB 169, SB 440, SB 441)**

# Children's Mental Health: *Issues and Bills*

## Suicide Prevention

- “Asher’s Law” - Comprehensive Suicide Prevention Program for Schools (HB 1386/ HB 2343)
  - *adopted as proposed rider #22 in CSHB 1*

## Data Collection

- Texas Dept. of Insurance collect data on claims for the treatment of a serious mental illness of a child younger than 18 years of age (HB 2933)

# Children's Mental Health: *Issues and Bills*

## Eliminating, Restructuring Agencies and Councils

- Abolish Dept. of Assistive and Rehabilitative Services (DARS); move functions to Dept. of State Health Services (DSHS) and Dept. of Aging and Disability Services (DADS) (HB 3629 )
- Move TIFI Consortium into the Texas Children's Policy Council (SB 1817)
- Interagency Task Force on Children with Special Needs
  - Extend life from 2015 to 2019 (HB 1875)
  - Shorten life from 2015 to 2013 (HB 2249/SB652)

# Children's Mental Health: *Issues and Bills*

## Identifying Efficiencies & Reducing Expenditures (SB 571):

- Evaluating feasibility & cost effectiveness of serving ECI kids in CHIP and Medicaid
- Maximizing use of DSHS MH/SA programs for kids in CPS
- Evaluating forensic commitment process to make sure offenders w/ MI are served in most appropriate & cost-effective setting
- Privatizing a state hospital
- Utilizing residential units in state hospitals to provide cost-effective care and to maintain bed capacity
- Requiring hospitals accepting Medicaid to charge state MH hospitals no more than Medicaid fee for service rate
- Expanding cost-effective models of care for mental illness

# Access to Health Care: *Issues and Bills*

## Medicaid & CHIP:

- Prohibit children of undocumented parents from receiving any state benefits (HB 293)
- Remove asset test (HB 503)
- Raise CHIP income eligibility to 300% FPL (HB 2474)
- Medicaid Co-Pays for Adults (HB 2368)
- Modifying eligibility criteria, processes, and systems in benefit programs (SB 1446)
- Seeking greater state flexibility in administering Medicaid (HB 3136)

# Access to Health Care: *Issues and Bills*

## Health Reform:

- State prohibition of required health insurance coverage (HB 32)
- Creating “Exchanges” (HB 636; HB 3402; SB 1510; SB 1782)

## System Navigators:

- Community-based navigator program to assist individuals applying for benefits through Texas Integrated Eligibility Redesign System (TIERS) (HB 2610)

# Access to Health Care: *Issues and Bills*

## Advance Practice Registered Nurses:

- Provide Advance Practice RN's with authority to prescribe and order prescription drugs (HB 1266/SB 1260)
- Provide Advance Practice RN's with authority to make medical diagnoses and to prescribe and order prescription drugs and devices (SB 1339)

# School System: *Issues and Bills*

## Unfunded Mandates:

- Exempting a school district from the obligation to comply with certain unfunded state educational mandates (HB 458; HB 1922)
- Proposing a constitutional amendment releasing a school district from the obligation to comply with an unfunded state educational mandate (HJR 46)

# School System: *Issues and Bills*

## Bullying:

- Changing definition of bullying (cyberbullying)
- Requiring schools to adopt policies related to bullying
- Training for school administrators, teachers, students and parents
- Reporting
- Punitive responses
- Several bills filed - HB 224/SB 242, SB 205, and SB 42 recently heard in committee

# School System:

## *Issues and Bills*

### School Discipline :

- Raising the threshold to expel youth from a discipline alternative education program (DAEP) program and referred to juvenile court (HB 195/SB 718; HB 622)
- Requiring school districts to report to TEA on disciplinary actions and placements (SB 48)
- Training for school administrators on discipline management (SB 345)
- Tracking & reporting on tickets written by a "school peace officer" and on the use of restraints (HB 349)
- Requiring schools to report on disproportionate disciplinary actions against students of a particular race, ethnicity or enrolled in a special education program (SB 593)

# School System: *Issues and Bills*

## School Wide Positive Behavior Interventions & Supports (SW-PBIS):

- State behavior leadership team to make recommendations on how to align state and local policies and resources to promote and assist local schools in adopting a SW-PBIS approach to prevent and address behavior and discipline issues (HB 1340).

# Child Protection & Welfare: *Issues and Bills*

## Abuse Prevention

- Adopting policies in schools and child care facilities addressing child abuse and maltreatment of children (SB 471 West/HB 1114 Parker; HB 2820)

## Child Welfare System

- Behavioral Assessments Task Force (SB 681)
- Trauma Informed Care (SB 219)
- Foster Care Bill of Rights (SB 269)

# Child Protection & Welfare: *Issues and Bills*

## Child Custody & Parenting

- Taskforce on the relationship between domestic violence and child abuse and neglect (SB 434)
- Foster care redesign, operation of CPS and the parent-child relationship (SB 218)

## Addressing Disproportionality Across Systems

- Council to examine disproportionate involvement of children of a racial or ethnic minority group in various child serving systems (HB 945 /SB 501)

# Juvenile Justice: *Issues and Bills*

## Creating the Texas Juvenile Justice Department

- HB 1915 /SB 653
- Abolishing the Texas Juvenile Probation Commission (TJPC) and Texas Youth Commission (TYC)
- Merging TJPC and TYC functions into a newly created Texas Juvenile Justice Department

# Juvenile Justice: *Issues and Bills*

## Judicial Training

- Expand continuing education training requirements for judges and attorneys involved in juvenile justice proceedings regarding mental illness and substance abuse (SB 823)

## Diversion

- Drug, Mental Health, and Veterans Specialty Courts (HB 768; HB 1771)
- Victim-Offender Mediation (HB 2019 Adults; HB 2065 – Juvenile Pilot)

# Juvenile Justice: *Issues and Bills*

## Screenings & Treatment:

- Chemical dependency screenings for youth in the juvenile justice system (HB 164)
- Loan repayment assistance for health care physicians & staff working in correctional facilities (HB 1906)

## Exchange of Information

- Allowing for exchange of information between agencies related to at-risk/juvenile justice system involved youth (SB 1106 /HB 3385; SB 1163)

# Adult Mental Health: *Issues and Bills*

## Criminal Enhancements

- Assault of a health care provider (HB 703)
- Assault of emergency room personnel (SB 295)

## Forced Treatment – Psychotropic Medication:

- Individuals under outpatient commitment order (HB 836)
- Defendants found incompetent to stand trial (HB 2037)
- Outpatient treatment for person who received involuntary inpatient treatment 6+ times in past year (SB 1161)

# Adult Mental Health: *Issues and Bills*

## Services to Undocumented Persons:

- Undocumented persons may receive emergency care, not other public health services (HB 2886)
- Annual report by state agencies on their costs to serve undocumented people; biennial report to Lege by Comptroller on impact to state budget & economy (HB 608)
- Service providers to determine citizenship, cost to state to treat persons from another country, & report cost info to Comptroller; request for reimbursement submitted to foreign countries (HB 1553)

# Adult Mental Health: *Issues and Bills*

## Guns on Campus

- Allow licensed concealed handguns on campus (HB 750, SB 354)

## Medicaid Benefits

- Reinstatement of Medicaid benefits for individuals upon release from correctional facilities (HB 1738/SB 1259)

## Suicide Prevention Week

- Sunday through Saturday surrounding World Suicide Prevention Day, September 10 (HCR 40 – Signed by Gov on 3/24/11)

# Resources to Help You Learn More

## Texas Legislature Online

- Follow a Bill's Progress:
  - <http://www.capitol.state.tx.us/Resources/FollowABill.aspx>
- Create a Bill List and Receive Email Alerts on Bill Action
  - <http://www.capitol.state.tx.us/MyTLO/Login/Login.aspx?ReturnUrl=/MyTLO/Alerts/Bills.aspx>

## Texans Care for Children's Online Advocacy Center

- <http://texanscareforchildren.org/Advocate>



**Questions?**

## Contact Us!

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*Special thanks to Mental Health America of Texas, Lutheran Social Services of the South, and the Hogg Foundation's Mental Health Fellowship Program's Policy Academy for helping to make this presentation possible!*



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