



Hogg Foundation
for Mental Health

88th Texas Legislative Overview

HHSC Texas System of Care/ Community Resource Coordination Group Conference



Hogg Foundation
for Mental Health

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Hogg Foundation for Mental Health

Vision

The people of Texas thrive in communities that support mental health and well-being.

Mission

Transform how communities promote mental health in everyday life.

We envision a future in which the people of Texas thrive in communities that support mental health and well-being. We believe it's possible to transform how communities promote mental health in everyday life. We support research and learning, practice and implementation, and policy initiatives to achieve this vision.

Foundation Policy Work Overview



Educate on policy topics that impact mental health and well-being



Work with legislative offices, state agencies, and advocacy stakeholders



Serve on coalitions, advisory groups, and workgroups



Convene and facilitate policy conversations



Provide policy technical assistance to grant partners



Publish policy materials

Texas Legislature 101

88th Legislative Session Timeline

- Meets every other year on odd-numbered years for 140 days (Jan-June)
- First day of the 88th Session: January 10, 2023
- Sine die: May 29, 2023
- Veto period: June 18, 2023
- Only the Governor can call a Special Session
- Special Sessions: 30 days, limited topics

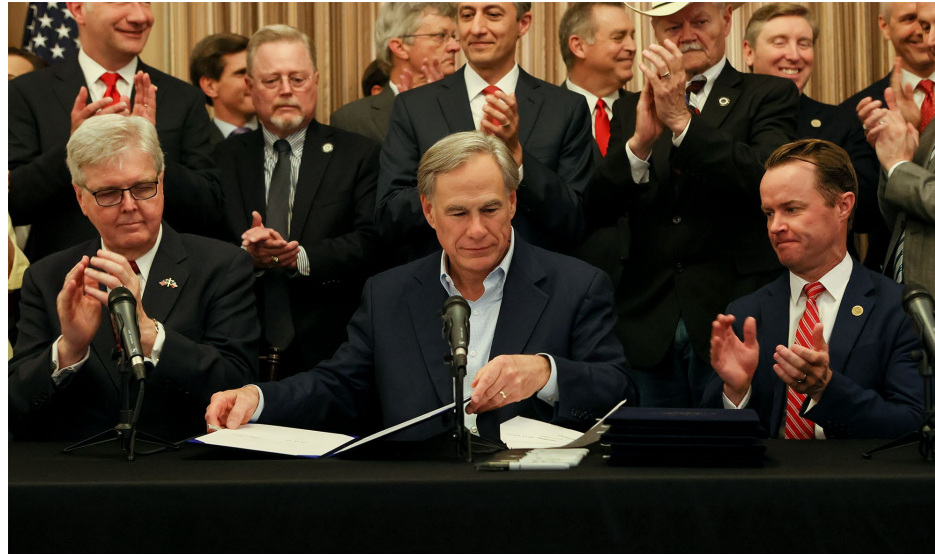
The Basics

Texas legislature is divided by two chambers:

- House (150 representatives, 2 year terms)
- Senate (31 senators, 4 year terms)



“The Big Three”: Texas Political Leadership



Lieutenant Governor:

chosen by popular vote,
President of the Senate

Lt. Gov. Dan Patrick (4-year
term)

Governor:

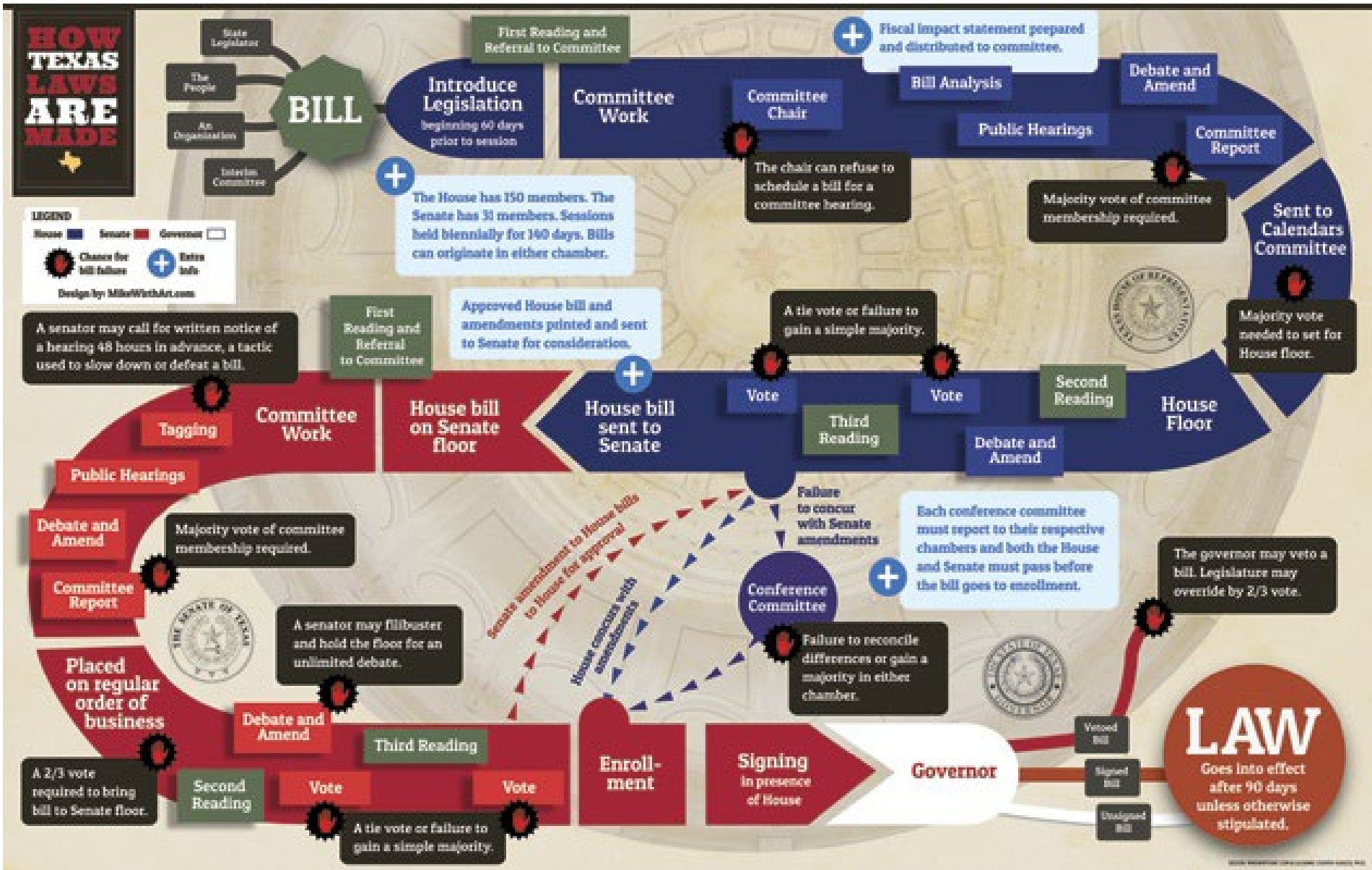
chosen by popular vote

Gov. Greg Abbott (4-year term)

Speaker of the House:

chosen by other
Representatives, head of the
House

Speaker Dade Phelan (2-year
term)



House Bill 1 (Bonnen/Huffman) Budget Outcomes Impacting Youth/Family Mental Health

Article II: Health and Human Services Commission(HHSC)

Budget Strategy	SB 1 FY 2022/23	HB 1 FY 2024/25	Difference
D.2.1 Community Mental Health – Adults	\$785,705,000	\$902,488,498	\$116,783,498
D.2.2 Community Mental Health – Children	\$187,879,512	\$221,258,318	\$33,378,806
D.2.3 Community Mental Health Crisis	\$231,398,300	\$333,626,094	\$102,227,794
D.2.4 Substance Abuse Services	\$496,360,084	\$554,070,891	\$57,710,807
D.2.5 Behavioral Health Waivers	\$58,874,900	\$66,077,690	\$7,202,790
D.2.6 Community Mental Health Grants	\$145,000,000	\$213,000,000	\$68,000,000
G.2.1 State Mental Health Hospitals*	\$965,484,056	\$1,167,992,552	\$202,508,496
G.2.2 Community Mental Health Hospitals	\$307,010,202	\$623,416,853	\$316,406,651

Article II: HHSC, Rider 48 - Community Mental Health Grant Programs

- \$20 million for veterans and their families;
- \$80 million for reducing criminal justice involvement and forensic commitment wait time;
 - \$10 million to the most populous county;
- \$45 million for the community mental health grant program;
- \$23 million to Healthy Community Collaboratives; and
- **\$15 million for an innovation grant program to support community-based initiatives for children and families.**
 - **With the passage of SB 26 (Kolkhorst/Jetton), an additional \$15 million is allocated.**

Article II: HHSC, Rider 52

- Address **workforce challenges** in state facilities
 - \$134 million to State Hospitals
 - \$202 to State Supported Living Centers (SSLCs)
- Additional **community inpatient beds**
 - State Hospital Contract Beds: \$8.4 million to contract for 20 competency restoration beds and \$8 million for 16 beds.
 - John S. Dunn Behavioral Health Sciences Center: \$9.4 million to increase funding for 144 beds and \$12.2 million for 24-bed expansion to address forensic waitlist.
 - Purchased Psychiatric Beds: \$200 million to maintain current capacity and for 193 additional state-purchased beds, including 70 in rural communities and 123 in urban communities. Of this funding, \$13.7 million is required to be used in Uvalde, and **20 contracted beds for children in DFPS conservatorship**.
 - Inpatient Capacity Expansion: \$91.6 to contract for 150 competency restoration beds
 - Sunrise Canyon: \$6 million to increase funding for inpatient beds at Sunrise Canyon Hospital.
- **Step-down transition and housing** for individuals exiting a State Hospital
 - \$5 million to establish transition teams at each state hospital
 - \$17 million to expand step-down housing
- Expanding **mental health crisis services**
 - Crisis Stabilization Facilities
 - \$28 million to fund up to 5 crisis stabilization facilities;
 - \$2.5 million in FY 24 to the LMHA servicing Montgomery, Walker and Liberties Counties;
 - \$8 million to the LMHA servicing Galveston County; and
 - \$8 million year to the LMHA servicing the Heart of Texas region.
 - Youth Crisis Respite: \$11.5 million to fund 4 youth-serving crisis respite units and pilot three peer-run units.
 - Youth Mobile Crisis Outreach Team (MCOTs): \$14 million to establish youth MCOTs, including 3 DFPS teams.
- Programs for **High-Risk Youth**
 - Multisystemic therapy (MST): \$30.5 million
 - Coordinate Specialty Care (CSC): \$4 million
 - Uvalde Mental Health Services: \$5 million in FY 25 to start and operate a new Uvalde Behavioral Health Campus.

Other Riders of Note

- Article II, HHSC Rider 54: Directs \$23.8 million for workforce capacity at LMHA/LBHAs/LIDDAs.
- Article II, HHSC Rider 83: Directs \$28 million for crisis and respite IDD services.
- Article II, DFPS Rider 44: Directs DFPS to collect data on the dedicated Mental Health Services Team.
- Article III, TEA Rider 21: Directs \$68 million for Communities in Schools.
- Rider III, TEA Rider 88: Directs \$5 million for Texas Partnership for Out of School Time (TXPOST) to implement mental health programs.
- Article III, Texas Higher Education Coordinating Board Rider 46: Directs \$280 million to the Texas Child Mental Health Care Consortium:
 - \$47 million to Child Psychiatry Access Network (CPAN)
 - \$142 million to Texas Child Access Through Telemedicine (TCHAT)
 - \$43 million to Workforce Expansion
 - \$10.6 million to CAP Fellowships
 - \$27.5 million Coordinated Research
 - \$6 million to Central Operation Support Hub
 - \$1 million to External Evaluation
 - \$2.6 million to Administration
- Article IV, Supreme Court of Texas, Rider 3: Directs funds to operate the Children's Commission and the Judicial Commission on Mental Health.
- Article IV, TJJD, Rider 27: Directs \$28 million for mental health services provided by juvenile probation departments.
- Article IX, Sec. 10.004: Statewide Behavioral Health Strategic Plan and Coordinate Expenditures information, inclusive of new directive for a **Children's Mental Health Strategic Plan** to be developed by the Statewide Behavioral Health Coordinating Council.
- Article IX, Sec. 17.35: Directs \$1.5 million to Texas A&M University System to study mental health services for children and adolescents.

Supplemental Appropriations – SB 30 (Huffman/Bonnen)

- Almost \$1 billion in state hospital construction/renovation, majority for adults
 - Uvalde Behavioral Health Campus: \$33.6 million
 - 35 adolescent beds at Terrell State Hospital
 - 24 adolescent beds at North Texas State Hospital, Wichita Falls
- \$100 million for one-time county-based community mental health grant programs
 - Requires local match dependent on population size
 - Must be used for constructing jail diversion facilities, step-down facilities, permanent supportive housing, crisis stabilization units, and crisis respite units, not including office space
- \$15.8 million for one-time children's hospitals construction grant programs
 - Requires local match dependent on population size
 - Must be used to construct inpatient mental health beds for children
- \$1.1 billion to TEA for school safety initiative grants

Mental Health Legislation Impacting Schools

PASSED	SUMMARY
<p>HB 3 (Burrows/Nichols) Relating to measures for ensuring public school safety, including the development and implementation of purchases relating to and funding for public school safety and security requirements and the provision of safety-related resources.</p>	<p>Comprehensive school safety bill, among its provisions includes updates to facilities standards; mental health trainings of all employees that regularly interact with students; requires an armed person on each campus; establishes the Office of School Safety and Security at TEA; and updates the funding formula for the School Safety Allotment to \$10/student + \$15,000/campus annually.</p>
<p>HB 763 (Middleton/Hefner) Relating to allowing public schools to employ or accept as volunteer chaplains.</p>	<p>Allows chaplains to be employed or volunteer at schools to provide support, services, and programs for students, as assigned by the board of trustees of the district, and ensures they pass background checks and are not a registered sex offender. Requires each board of trustees to take a vote within 6 months of bill passage.</p>
<p>HB 1211 (Guillen/Zaffirini) Relating to financial assistance, including repayment of loans, for certain students attending postsecondary educational institutions.</p>	<p>Extends eligibility for the Loan Repayment Program for Mental Health Professionals to include licensed specialists in school psychology.</p>
<p>SB 798 (Middleton/Buckely) Relating to the certification requirements for a public-school counselor.</p>	<p>Removes the requirement of experience as a classroom teacher for school counselor certification.</p>
<p>HB 3908 (Wilson/Creighton) Relating to fentanyl prevention and drug poisoning awareness education for public school students in grades 6 through 12.</p>	<p>Requires each school district to annually provide research-based instruction related to fentanyl abuse prevention and drug poisoning awareness to students in grades 6 through 12 and requires a designated Fentanyl Poisoning Awareness Week.</p>
<p>SB 629 (Menéndez/Talarico) Relating to the use of opioid antagonists on public and private school campuses and at or in transit to or from off-campus school events.</p>	<p>Requires schools serving students grades 6 through 12 to adopt policies on opioid antagonists and allows school serving other grades to adopt policies.</p>

FAILED	SUMMARY
HB 98 (Moody/Menéndez) Relating to the provision of on-campus mental health services by a school district and reimbursement under Medicaid for certain services provided to eligible students.	Would have allowed school districts to bill Medicaid for providing behavioral health services to all students enrolled in Medicaid under the SHARS program.
HB 516 (Wu) Relating to requiring a school district or open-enrollment charter school to report data regarding certain disciplinary or law enforcement actions taken against students.	Would have required school districts to collect and report certain disciplinary or law enforcement actions taken against students, disaggregated by demographic information.
HB 1157/SB 1101 (Lozano/Paxton) Relating to excused absences from public school for certain students to attend mental health care appointments	Would have clarified that mental health appointments can be excused absences when a student returns to school same-day with documentation.
HB 1537 (Howard) Relating to the submission by law enforcement agencies to certain public school personnel of a handle with care notice concerning a traumatic event experienced by a public school student.	Would have authorized school districts to partner with law enforcement agencies to create “Handle with Care” programs.
HB 2451/SB 948 (Allison/West) Relating to the permissible uses of the school safety allotment and the creation of a mental health allotment under the Foundation School Program.	Would have created a “school mental health allotment” for schools to receive dedicated funding to implement mental health and other positive school climate policies, programs, and services.
HB 4449/SB 2395 (Reynolds/West) Relating to the establishment of a task force to study disciplinary practices and policies in public schools.	Would have established a task force to study, evaluate, and make recommendations for policies and practices relating to student discipline in public schools
SB 595/HB 1149 (Kolkhorst/Swanson) Relating to requiring parent consent for psychological or psychiatric examinations, testing, or treatment conducted by a school district.	Would have expanded the definition of psychological and psychiatric tests, exams, and treatments to include more broad activities and would require written parental consent.
SB 891 (Zaffirini) Relating to excused absences from public school for a student’s mental or behavioral health.	Would have required school districts to allow up to 5 excused absence days for mental or behavioral health treatment with documentation. Would allow districts to adopt a policy for excused mental health days without documentation.

Mental Health Legislation Impacting System-Involved Youth

PASSED	SUMMARY
<p>HB 1585 (Sparks/Johnson) Relating to certain proceedings in juvenile court for children with mental illness and intellectual disabilities.</p>	<p>Among its provisions, revises Chapter 55 of the Family Code with respect to juvenile court proceedings for children with mental illness and intellectual disabilities.</p>
<p>HB 1819 (Cook/Hughes) Relating to the repeal of the authority of political subdivisions to adopt or enforce juvenile curfews.</p>	<p>Prohibits a political subdivision from adopting or enforcing a curfew for persons younger than 18.</p>
<p>SB 24 (Kolkhorst/Frank) Relating to the powers and duties of the Health and Human Services Commission and the transfer to the commission of certain powers and duties from the Department of Family and Protective Services.</p>	<p>Transfers prevention and early intervention services currently provided by DFPS to HHSC, consolidates certain support programs within HHSC under a new family support services program, and provides for the establishment of the Thriving Texas Families Program as the continuation of the current alternatives to abortion (A2A) program.</p>
<p>SB 1727 (Schwertner/Canales) Relating to the continuation and functions of the Texas Juvenile Justice Department, the functions of the office of independent ombudsman for the Texas Juvenile Justice Department, and the powers and duties of the office of inspector general of the Texas Juvenile Justice Department.</p>	<p>Among its provisions, continues functions of TJJD with Sunset review for the 2025 session, and adopts certain policy recommendations from the Sunset Advisory Commission.</p>
<p>SB 1849 (Kolkhorst/Noble) Relating to an interagency reportable conduct search engine, standards for a person's removal from the employee misconduct registry and eligibility for certification as certain Texas Juvenile Justice Department officers and employees, and the use of certain information by certain state agencies to conduct background checks.</p>	<p>Creates an interagency child protection database among state agencies and services providers regarding former employees who have been determined to have engaged in abuse, neglect, exploitation, or misconduct between TEA, TJJD, DFPS and HHSC.</p>

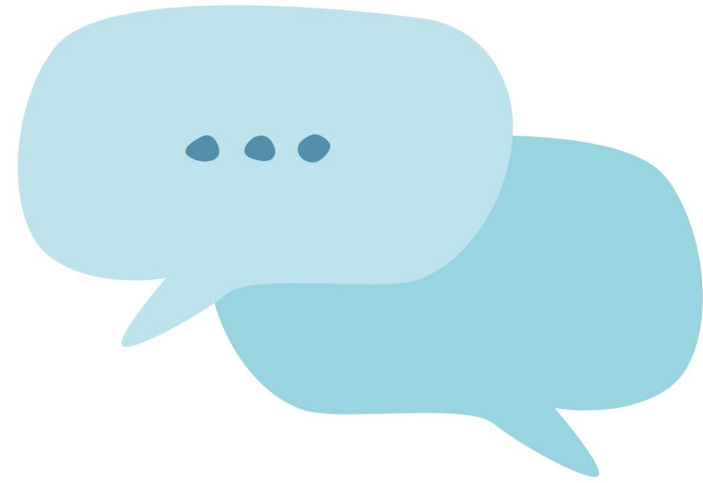
FAILED	SUMMARY
HB 16 (Moody) Relating to the adjudication and disposition of cases involving delinquent conduct, certain juvenile court proceedings, and planning and funding for services for children in the juvenile justice system.	Among its provisions, would have established stricter standards for detention and created a presumption for diversion into community-based resources, required TJJJ to develop and adopt a diversion and intervention strategic plan, created a Task Force on Community-based Diversion and Intervention, and created county reinvestment funds.
HB 506 (Wu) Relating to requirements for a juvenile's appearance in a judicial proceeding.	Would have restricted the use of restraints in juvenile court proceedings and required the court to permit a child to wear clothing other than a uniform provided by a detention or correctional facility.
HB 2237/SB 1384 (Thompson, S/Miles) Relating to the establishment of the child first grant program.	Would have created the child first grant program in Texas, which allows DFPS to disperse grants to organizations that provide home-based, collaborative mental health services to children and families.
HB 2822 (Garcia) Relating to a study on the housing needs of youth transitioning out of foster care or the juvenile justice system.	Would have required the Texas Interagency Council for the Homeless to conduct a study to examine the housing needs of youth transitioning from foster care or the juvenile justice system to independent living.
HB 4065/SB 2423 (Rose/Johnson) Relating to required reporting by the Department of Family and Protective Services regarding youth in the managing conservatorship of the department who attempt suicide.	Would have required DFPS to report on suicide attempts in foster youth.
HB 4356 (Talarico) Relating to the dissolution of the Texas Juvenile Justice Department and the creation of the Office of Youth Safety and Rehabilitation.	Among its provisions, would have established the Office of Youth Safety and Rehabilitation under HHSC and would have been tasked with developing and implementing a plan to complete a staggered closure of TJJJ facilities by September 2030.
HB 4091 (Johnson/Kolkhorst) Relating to the mental health needs of a minor in the managing conservatorship of the Department of Family and Protective Services.	Would have expanded the circumstances under which DFPS would be authorized to request the admission of a minor in DFPS managing conservatorship to an inpatient mental health facility.

Other Legislation Impacting Youth and Families' Mental Health

PASSED	SUMMARY
HB 12 (Rose/Kolkhorst) Relating to the duration of services provided under Medicaid to women following a pregnancy.	Extends Medicaid for Pregnant Women coverage from 60 days to 12 months postpartum for eligible people.
HB 113 (Ortega/Blanco) Relating to the use of community health workers in Medicaid managed care.	Allows Medicaid MCOs providing health care services under the STAR Medicaid managed care program to categorize services provided by a community health worker as a quality improvement cost, instead of as an administrative expense.
HB 567 (Bowers/Miles) Relating to discrimination on the basis of hair texture or protective hairstyle associated with race.	Also known as the CROWN Act, provides protection against discrimination for race-based hairstyles in the Texas Education, Labor, and Property Codes.
HB 900 (Patterson/Paxton) Relating to the regulation of books sold to or included in public school libraries.	Restricts access to books in school libraries by prohibiting acquisition, limiting access, and defining "obscenity" in a broad manner. Requires publishers to determine what books constitute "sexually explicit" and "sexually relevant."
SB 14 (Campbell/Oliverson) Relating to prohibitions on the provision to certain children of procedures and treatments for gender transitioning, gender reassignment, or gender dysphoria.	Prohibits physicians from providing gender-affirming care for transgender youth. Also bans insurance companies from covering these treatments. Prohibits public funds from going towards gender-affirming care.
SB 63 (Zaffirini/Raymond) Relating to an instruction guide for family members and caregivers of veterans who have mental health disorders.	Requires HHSC and Texas Veterans Commission to create an instruction guide for family members and caregivers of veterans with mental health conditions, which must be available on both agency's websites.
SB 532 (West/Kuempel) Relating to providing mental health services information to certain higher education students and to the repayment of certain higher education loans.	Reduces the service requirement for the Loan Repayment Program for Mental Health Professionals from 5 years to 3 and extends eligibility criteria to any eligible professional working within a LMHA/LBHA or State Hospital. *Amended to include language from HB 2100 (Price/Schwertner) and HB 3631 (Lalani)

FAILED	SUMMARY
HB 15 (Thompson, S) Relating to the creation of the Mental Health and Brain Research Institute of Texas.	Would have created the Mental Health and Brain Research Institute of Texas.
HB 340 (Thompson, S) Relating to the requirement and study of insurance coverage for serious emotional disturbance of a child.	Would have required insurance coverage for serious emotional disturbance of a child and providing for a one-time study on the extent to which those benefits are accessed.
HB 1578 (Allison/Johnson) Relating to a health literacy plan developed by the statewide health coordinating council and the inclusion of health literacy in the state health plan.	Would have required a study on health literacy with one focus on strategies to expand the use of plain language instructions for patients.
HB 1879 (Darby/Sparks) Relating to the provision of counseling services by certain providers under Medicaid and reimbursement for those services.	Would have allowed Licensed Marriage and Family Therapist (LMFT)-Associates, Licensed Professional Counselor (LPC)-Associates, and Licensed Master Social Workers (LMSW) under supervision for their clinical license to bill for psychotherapy within Medicaid.
HB 1898 (Jetton/Kolkhorst) Relating to a grant program to fund the provision by children's hospitals of mental and behavioral health services to children in this state.	Would have established a grant program at HHSC to fund mental and behavioral health expansion at certain children's hospitals.
HB 2404/SB 2278 (Johnson, A/Blanco) Relating to Medicaid coverage and reimbursement for functional family therapy services.	Would have allowed for billing of functional family therapy services within Medicaid.
HB 2638/SB 2279 (Johnson, A/Blanco) Relating to Medicaid coverage and reimbursement for multisystemic therapy services.	Would have allowed for billing of multisystemic therapy services within Medicaid.

Questions?





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