

117TH CONGRESS  
2D SESSION

# H. R. 7672

To amend the Public Health Service Act to authorize the Secretary of Health and Human Services to award grants, contracts, or cooperative agreements to schools and school-based health centers to increase the number of mental health and substance use disorder care providers in such schools and health centers, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 6, 2022

Ms. CASTOR of Florida introduced the following bill; which was referred to the Committee on Energy and Commerce

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## A BILL

To amend the Public Health Service Act to authorize the Secretary of Health and Human Services to award grants, contracts, or cooperative agreements to schools and school-based health centers to increase the number of mental health and substance use disorder care providers in such schools and health centers, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Advancing Student  
5       Services In Schools Today Act” or the “ASSIST Act”.

1 **SEC. 2. PROGRAM TO INCREASE MENTAL HEALTH AND**  
2 **SUBSTANCE USE DISORDER CARE PRO-**  
3 **VIDERS IN SCHOOLS AND SCHOOL-BASED**  
4 **HEALTH CENTERS.**

5 Subpart I of part D of title III of the Public Health  
6 Service Act (42 U.S.C. 254b et seq.) is amended by adding  
7 at the end the following:

8 **“SEC. 3300. PROGRAM TO INCREASE MENTAL HEALTH AND**  
9 **SUBSTANCE USE DISORDER CARE PRO-**  
10 **VIDERS IN SCHOOLS AND SCHOOL-BASED**  
11 **HEALTH CENTERS.**

12 “(a) IN GENERAL.—Not later than 3 months after  
13 the date of enactment of this section, the Secretary, in  
14 consultation with the Secretary of Education, shall award  
15 grants, contracts, or cooperative agreements to eligible en-  
16 tities to increase the number of mental health and sub-  
17 stance use disorder care providers in schools and health  
18 centers served by such entities.

19 “(b) APPLICATION.—An eligible entity seeking an  
20 award under this section shall submit an application to  
21 the Secretary at such time, in such manner, and con-  
22 taining such information as the Secretary may require, in-  
23 cluding a description of—

24 “(1) the mental health and substance use dis-  
25 order needs of the student population served by the  
26 eligible entity; and

1           “(2) with respect to the student population  
2           served by the eligible entity, how the eligible entity  
3           will ensure that the mental health and substance use  
4           disorder care providers supported by the eligible en-  
5           tity, and the services administered by such pro-  
6           viders, are culturally competent and linguistically  
7           appropriate.

8           “(c) RESTRICTION.—No funds made available  
9           through an award under this section may be used for a  
10          threat assessment team.

11          “(d) REPORTING.—

12               “(1) ELIGIBLE ENTITY REPORTING.—Eligible  
13           entities receiving an award under this section shall  
14           submit an annual report to the Secretary accom-  
15           panied by such information as the Secretary may re-  
16           quire, including—

17                   “(A) the number of mental health and sub-  
18           stance use disorder care providers working at  
19           the schools or health centers served by the eligi-  
20           ble entity, and the number of such providers  
21           supported through the award;

22                   “(B) the types of services provided by the  
23           mental health and substance use disorder care  
24           providers and the efficacy of such services;

1           “(C) the practices used by the schools or  
 2           health centers served by the eligible entity to  
 3           recruit and retain mental health and substance  
 4           use disorder care providers; and

5           “(D) the rates of retention of mental  
 6           health and substance use disorder care pro-  
 7           viders at the school or health center.

8           “(2) SECRETARY.—Not later than 18 months  
 9           after the date of enactment of this section, and an-  
 10          nually thereafter, the Secretary shall submit to Con-  
 11          gress a report on the effectiveness of the awards  
 12          under this section.

13          “(e) DEFINITIONS.—In this section:

14           “(1) ELIGIBLE ENTITY.—The term ‘eligible en-  
 15          tity’ means—

16           “(A) a local educational agency, as defined  
 17           in section 8101 of the Elementary and Sec-  
 18           ondary Education Act of 1965;

19           “(B) an institution of higher education, as  
 20           defined in section 101 of the Higher Education  
 21           Act of 1965;

22           “(C) a school operated by the Bureau of  
 23           Indian Affairs; or

24           “(D) a school-based health center, as de-  
 25          fined in section 399Z–1(a)(3).

1           “(2) MENTAL HEALTH AND SUBSTANCE USE  
2           DISORDER CARE PROVIDER.—The term ‘mental  
3           health and substance use disorder care provider’  
4           means an individual who is licensed or credentialed  
5           to provide mental health and substance use disorder  
6           services, including—

7                       “(A) a school counselor;

8                       “(B) a school psychologist or any other  
9           psychologist;

10                      “(C) a psychiatrist who specializes in child  
11           or adolescent psychiatry;

12                      “(D) a school social worker;

13                      “(E) a peer support specialist or peer re-  
14           covery coach; and

15                      “(F) other providers, as the Secretary de-  
16           termines appropriate.”.

17 **SEC. 3. INCREASING THE APPLICABLE FMAP FOR STATE**  
18 **EXPENDITURES ATTRIBUTABLE TO CERTAIN**  
19 **BEHAVIORAL HEALTH SERVICES.**

20           Section 1905 of the Social Security Act (42 U.S.C.  
21 1396d) is amended—

22                      (1) in subsection (b), by striking “and (ii)” and  
23           inserting “(ii), and (jj)”; and

24                      (2) by adding at the end the following new sub-  
25           section:

1       “(jj)(1) Notwithstanding any preceding provision of  
2 this section, with respect to State expenditures for medical  
3 assistance consisting of services provided by a mental  
4 health and substance use disorder care provider (as de-  
5 fined in section 330O(e) of the Public Health Service Act)  
6 and furnished at a school or at a school-based health cen-  
7 ter (as defined in section 399Z–1(a)(3) of such Act) on  
8 or after the first day of the first calendar quarter begin-  
9 ning on or after the date that is 3 months after the date  
10 of the enactment of this subsection, the Federal medical  
11 assistance percentage otherwise determined under sub-  
12 section (b) shall, subject to paragraph (2), be equal to 90  
13 percent.

14       “(2) Paragraph (1) shall not apply in the case of  
15 State expenditures described in such paragraph if applica-  
16 tion of such paragraph would result in a lower Federal  
17 medical assistance percentage for such expenditures than  
18 would otherwise apply without application of such para-  
19 graph.”.

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