

By: Naishtat

H.B. No. 2048

A BILL TO BE ENTITLED

AN ACT

relating to the delivery of mental health services and supports under a system of care framework to minors who have or are at risk of developing a serious emotional disturbance or who are at risk of being removed from the minor's home.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 531.251, Government Code, as amended by S.B. No. 219, Acts of the 84th Legislature, Regular Session, 2015, is amended to read as follows:

Sec. 531.251. TEXAS SYSTEM OF CARE FRAMEWORK [~~CONSORTIUM~~].

(a) In this section:

(1) "Minor" means an individual younger than 18 years of age.

(2) "Serious emotional disturbance" means a mental, behavioral, or emotional disorder of sufficient duration to result in functional impairment that substantially interferes with or limits a person's role or ability to function in family, school, or community activities.

(3) "System of care framework" means a framework for collaboration among state agencies, minors who have a serious emotional disturbance or are at risk of developing a serious emotional disturbance, and the families of those minors that improves access to services and delivers effective community-based services that are family-driven, youth- or young adult-guided, and

1 culturally and linguistically competent.

2 (b) The commission shall implement ~~[form a consortium to~~
3 ~~have responsibility for and oversight over]~~ a ~~[state]~~ system of
4 care framework to develop local mental health systems of care in
5 communities for minors who are receiving residential mental health
6 services and supports or inpatient mental health hospitalization,
7 have or are at risk of developing a serious emotional disturbance,
8 or ~~[who]~~ are at risk of being removed from the minor's home and
9 placed in a more restrictive environment to receive mental health
10 services and supports, including an inpatient mental health
11 hospital, a residential treatment facility, or a facility or
12 program operated by the Department of Family and Protective
13 Services or an agency that is part of the juvenile justice system.

14 (c) ~~[(a-1) The consortium must include:~~

15 ~~[(1) representatives of the Department of State Health~~
16 ~~Services, Department of Family and Protective Services,~~
17 ~~commission's Medicaid program, Texas Education Agency, Texas~~
18 ~~Juvenile Justice Department, and Texas Correctional Office on~~
19 ~~Offenders with Medical or Mental Impairments, and~~

20 ~~[(2) one member who is:~~

21 ~~[(A) a youth or young adult who has a serious~~
22 ~~emotional disturbance and has received mental health services and~~
23 ~~supports, or~~

24 ~~[(B) a family member of a youth or young adult~~
25 ~~described by Paragraph (A).~~

26 ~~[(a-2) The consortium may coordinate with the Children's~~
27 ~~Policy Council for the purposes of including the representation~~

~~required by Subsection (a-1)(2).~~

~~[(b)]~~ The commission ~~[and the consortium]~~ shall:

(1) maintain a comprehensive plan for the delivery of mental health services and supports to a minor and a minor's family using a system of care framework, including best practices in the financing, administration, governance, and delivery of those services;

(2) enter memoranda of understanding with the Department of State Health Services, the Department of Family and Protective Services, the Texas Education Agency, the Texas Juvenile Justice Department, and the Texas Correctional Office on Offenders with Medical or Mental Impairments that specify the roles and responsibilities of each agency in implementing the comprehensive plan described by Subdivision (1) ~~[implement strategies to expand the use of system of care practices in the planning and delivery of services throughout the state]~~;

(3) identify appropriate local, state, and federal funding sources to finance infrastructure and mental health services and supports needed to support state and local system of care framework efforts; ~~and~~

(4) develop an evaluation system to measure cross-system performance and outcomes of state and local system of care framework efforts; and

(5) in implementing the provisions of this section, consult with stakeholders, including:

(A) minors who have or are at risk of developing a serious emotional disturbance or young adults who received mental

health services and supports as a minor with or at risk of
developing a serious emotional disturbance; and

(B) family members of those minors or young
adults.

~~[(b-1) Not later than November 1 of each even-numbered year,~~
~~the consortium shall submit a report to the legislature and the~~
~~Council on Children and Families that contains an evaluation of the~~
~~outcomes of the Texas System of Care and recommendations on~~
~~strengthening state policies and practices that support local~~
~~systems of care, including recommendations relating to:~~

~~[(1) methods to increase access to effective and~~
~~coordinated services and supports;~~

~~[(2) methods to increase community capacity to~~
~~implement local systems of care through training and technical~~
~~assistance;~~

~~[(3) use of cross-system performance and outcome data~~
~~to make informed decisions at individual and system levels; and~~

~~[(4) strategies to maximize public and private funding~~
~~at the local, state, and federal levels.]~~

SECTION 2. Section 531.255, Government Code, is amended to
read as follows:

Sec. 531.255. EVALUATION. ~~[(a)]~~ The commission ~~[and the~~
~~Department of State Health Services jointly]~~ shall monitor the
implementation of a system of care framework under Section 531.251
and adopt rules as necessary to facilitate or adjust that
implementation ~~[progress of the communities that implement a local~~
~~system of care, including monitoring cost avoidance and the net~~

1 ~~savings that result from implementing a local system of care]~~.

2 SECTION 3. This Act takes effect immediately if it receives
3 a vote of two-thirds of all the members elected to each house, as
4 provided by Section 39, Article III, Texas Constitution. If this
5 Act does not receive the vote necessary for immediate effect, this
6 Act takes effect September 1, 2015.