



86th

TEXAS LEGISLATURE REGULAR SESSION WRAP UP

Since our founding in October 2013, the Meadows Mental Health Policy Institute (MMHPI) has worked with Texas legislators, state officials, members of the judiciary, and local leaders to identify systemic mental health issues and workable solutions, establishing itself as Texas' most trusted source for data-driven mental health policy.

In five years and across three sessions of the Texas Legislature, MMHPI has made significant impact in multiple priority areas, including helping Texas leaders improve access to care for veterans and their families, shifting the focus of new investments toward early intervention strategies, and helping address the mental health crisis in our jails and emergency rooms.

With Governor Abbott declaring mental health an emergency item for the 86th Texas Legislature, and Lt. Governor Patrick making it a top Senate priority, the stage was set for historic steps forward, particularly for Texas children; legislative leaders did not disappoint.

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Intervening Early to Address the Mental Health Needs of Texas Children

Identifying symptoms and getting children the mental health care they need as soon as possible are critical to securing the best possible outcomes with the least intensive treatments. Senator Jane Nelson's **Senate Bill (SB) 10** was designed to establish the **Texas Child Mental Health Care Consortium** to foster collaboration among our state's medical schools, with a focus on the well-being of Texas children. SB 10 ultimately passed as a component of Senator Larry Taylor's **SB 11**. Complementary legislation, Rep. Four Price's **House Bill (HB) 18**, enhances mental health training and awareness in public schools. **HB 1**, the state budget, provides \$100 million to fund the Texas Child Mental Health Care Consortium and \$100 million to fund a new **School Safety Allotment**.

SB 11 (Taylor)

- Through the **Texas Child Mental Health Care Consortium**, establishes the:
 - **Child Psychiatry Access Network (CPAN)**. Enables pediatricians and primary care providers to work with child psychiatry consultation hubs at leading medical schools to reach timely, accurate treatment decisions.
 - **Texas Child Health Access Through Telemedicine (TCHAT)**. At the direction of parents, schools will have access to health providers via telemedicine and telehealth to help meet the mental health needs of at-risk children and youth.
- Creates a new **School Safety Allotment** to improve safety and security, including costs associated with: hiring mental health personnel; prevention and treatment programs; and programs related to suicide prevention, intervention, and postvention.

HB 18 (Price)

- Enhances training requirements for school employees, curriculum requirements, education programs, and health care services for students to better support mental health.

SB 1177 (Menéndez)

- Makes intensive, evidence-based practices known to have good outcomes for children and youth with the highest mental health needs available as an option in Medicaid managed care programs.

Fighting Mental Illness Like We Fight Cancer

Each year, investments make it possible for top researchers to study and find new ways to fight cancer. The result has been promising new treatments and outcomes that could never have been imagined just a short time ago. We must bring that same level of dedication and passion to mental illness, and this session the Legislature made strides. As noted, SB 11 (Taylor) establishes the **Texas Child Mental Health Care Consortium**; the Consortium's duties include the coordination of mental health and substance use disorder research across our state-funded medical schools.

State Hospital System Redesign

During the 85th Legislative Session, the Texas Legislature committed an initial investment of \$300 million for planning and construction of new hospital projects, guided by the Comprehensive Plan for State-Funded Inpatient Mental Health Services. This session, following the lead of Senator Kirk Watson, the Legislature moved to Phase II of the Comprehensive Plan, with a focus on new construction.

- **SB 500 (Nelson)** contains \$445 million to fund Phase II of the Comprehensive Plan, including \$165 million to begin construction of a 240-bed replacement for the Austin State Hospital, \$190.3 million to begin construction of a 300-bed replacement for the San Antonio State Hospital, and \$90 million to construct a new 100-bed unit at Rusk State Hospital.
- **SB 2111 (Watson)** requires the Health and Human Services Commission (HHSC) to establish a plan to contract with a local, public institution of higher education to transfer operations of Austin State Hospital, upon completion of construction.



Building on Our Accomplishments

Heading into the 86th Legislature, it was important to maintain and build on the past and current work of the Legislature and Texas communities to strengthen our mental health safety net. The Legislature did just that, particularly through **HB 1**, the state budget.

HB 1 (Zerwas)

- Contains \$60 million for the **Mental Health Grant Program for Justice-Involved Individuals** (85(R) SB 292), a \$12.5 million increase from fiscal year (FY) 2018–19 levels. This funding will help local governments keep nonviolent people with mental illness out of our jails and off forensic hospital wait lists, while getting individuals who end up in jails out, and into treatment, as quickly as possible.

- Contains \$40 million for the **Community Mental Health Grant Program** (85(R) HB 13), a \$10 million increase from FY 2018–19 levels. This funding will help local communities address gaps identified in the Statewide Behavioral Health Strategic Plan by developing locally-driven mental health programming.
- Contains \$20 million for the **Texas Veterans + Family Alliance (TV+FA) Grant Program** (84(R) SB 55). This funding will improve the quality of life for Texas veterans and their families by helping local communities expand access to mental health treatment and supports.

Related legislation, **SB 822 (Nelson)**, lowers the TV+FA match requirement for programs located in a county with a population of less than 250,000 people to align with the Mental Health Grant Program for Justice-Involved Individuals and the Community Mental Health Grant Program requirements.

Leveraging Judicial Leadership

The Texas Judicial Council’s Mental Health Committee and the Judicial Commission on Mental Health have provided much-needed leadership in the intersection of mental illness and criminal justice. This session provided an opportunity to build on judiciary-led reforms enacted in 2017 through Senator Zaffirini’s 85(R) SB 1326.

- **HB 601 (Price)** builds on reforms enacted through 85(R) SB 1326 by clarifying the meaning and scope of “assessments” for individuals with mental illness in jails, among other administrative and data collection reforms.
- **SB 562 (Zaffirini)** reforms the competency restoration process to ensure individuals will be assigned to state facilities for treatment based on clinical need, not solely on the underlying offense charged.
- **HB 1 (Zerwas)** contains \$2 million to fully fund the Judicial Commission on Mental Health over the 2020–21 biennium.

Helping to Address the Behavioral Health Workforce Emergency

Texas continues to grow and demand a larger mental health workforce. This session, the Legislature made targeted steps to expand our workforce, particularly through the creation of the Texas Behavioral Health Executive Council, which will streamline licensure for mental health professionals and help to eliminate lengthy waits for licenses.

- **HB 1501 (Nevárez)** establishes the Texas Behavioral Health Executive Council to streamline and expedite the licensing process for psychologists, marriage and family therapists, professional counselors, and social workers.
- **SB 11 (Taylor)**, through the Texas Child Mental Health Care Consortium, provides funding for child and adolescent psychiatrists to serve as academic medical directors for community mental health organizations, and funds fellowships to train new physicians to specialize in child and adolescent psychiatry.
- **HB 1 (Zerwas)** includes a \$60.675 million increase to expand graduate medical education (residency) so there will be 1.1 residency slots for every one Texas medical school graduate.
- **HB 1 (Zerwas)** contains \$2.125 million for the Loan Repayment Program for Mental Health Professionals.

Fighting Opioid Abuse

Opioid abuse in Texas continues to be an epidemic. The Legislature took several steps this session to improve the way our state fights back. HB 1 includes \$1 million to provide grants to counties to make medication-assisted treatment (MAT) available to inmates who are re-entering the community. Separate legislation will improve opioid education in schools and expand access to MAT.

- **SB 435 (Nelson)** requires local school health advisory councils to recommend appropriate curriculum for districts to educate students about the dangers of opioid abuse and how to safely administer a “rescue drug” in the event of an overdose.
- **SB 436 (Nelson)** expands the Texas Alliance for Innovation in Maternal Health (TexasAIM) program to curb maternal opioid abuse disorder.
- **SB 1564 (West)** aligns Texas Medicaid policy with federal law in the definition of “qualifying practitioner,” allowing more practitioners to prescribe MAT, and directing HHSC to allow Medicaid reimbursement for these qualifying practitioners.

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