

Suicide Prevention and Intervention:

New Laws Passed During the 85th Texas Legislative Session

Source: Texas Legislative Council and the Legislative Reference Library of Texas

[*Summary of Enactments 85th Legislature Regular Session and 1st Called Session 2017*](https://tlc.texas.gov/docs/sessions/85soe.pdf)

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| **CHILDREN AND YOUTH** |

**Mental Health Screenings for Adolescents Enrolled in Medicaid**

*HB 1600 by Rep. S. Thompson et al.; Sponsored by Sen. Watson; Effective: 9-1-17*

Amended the Human Resources Code to require the executive commissioner of the Health and Human Services Commission, in the rules governing the Texas Health Steps program, to allow a provider to conduct, and be reimbursed for conducting, a mental health screening during each annual medical exam of a Medicaid recipient who is at least 12 years of age but younger than 19 years of age.

**Best Programs and Practices for Schools**

*HB 4056 by Rep. Rose; Sponsored by Sen. Lucio Effective: 6-12-17*

Amended the Health and Safety Code to expand the scope of areas related to mental health, substance abuse, and suicide for which the Department of State Health Services and the Texas Education Agency are required to maintain a list of recommended best practice-based programs and practices for use in schools. The list now includes: trauma and grief informed practices; positive school climates; positive behavior interventions and supports; and building skills related to managing emotions, establishing and maintaining positive relationships, and responsible decision-making.

**Bullying Prevention, Intervention, and Penalties**

*SB 179 by Sen. Menéndez et al., Sponsored by Rep. Minjarez et al.; Effective: 9-1-17*

Known as David’s Law, amended the Education Code to revise provisions relating to school district bullying prevention policies and procedures to provide protections against cyberbullying. The bill authorizes a student to be removed from class and placed in a disciplinary alternative education program or expelled for engaging in certain bullying behavior and authorizes a district to report certain conduct constituting assault or harassment to local law enforcement. Open-enrollment charter schools are subject to these provisions. The bill requires the Texas Education Agency, in coordination with the Health and Human Services Commission, to establish and maintain a website to provide resources for school employees regarding working with students with mental health conditions. The bill provides for injunctive relief for the cyberbullying of a child and enhances the penalty for harassment involving repeatedly sending certain electronic communications under specified circumstances.

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| **ACCESS TO BEHAVIORAL HEALTH SERVICES** |

**Behavioral Health Parity**

*HB 10 by Rep. Price et al.; Sponsored by Sen. Zaffirini et al.; Effective: 9-1-17*

Amended the Government Code and Insurance Code to require a health benefit plan to provide benefits and coverage for mental health conditions and substance use disorders under the same terms and conditions applicable to the plan’s medical and surgical benefits and coverage. The bill prohibits such coverage from imposing certain treatment limitations on benefits for a mental health condition or substance use disorder and requires the commissioner of insurance to enforce compliance with the bill. The bill requires the executive commissioner of the Health and Human Services Commission (HHSC) to designate an ombudsman for behavioral health access to care, sets out the ombudsman’s duties, and requires the Texas Department of Insurance (TDI) to appoint a liaison to the ombudsman. The bill requires HHSC to establish and facilitate a mental health condition and substance use disorder parity work group and requires TDI and HHSC to each conduct studies on benefits for medical or surgical expenses and for mental health conditions and substance use disorders.

**Community Mental Health Matching Grants**

*HB 13 by Rep. Price et al., Sponsored by Sen. Schwertner et al., Effective: 6-14-17*

Amended the Government Code to require the Health and Human Services Commission to establish a matching grant program to support community mental health programs providing services and treatment to individuals experiencing mental illness.

**Mental Health Services for First Responders**

*HB 1794 by Rep. Bell et al.; Sponsored by Sen. Kolkhorst; Effective: 9-1-17*

Requires the Health and Human Services Commission to establish the Work Group on Mental Health Access for First Responders to develop and make recommendations to improve access to mental health care services for first responders.

**Transport by Emergency Medical Services Personnel**

*SB 344 by Sen. West et al.; Sponsored by Sen. Sheffield; Effective: 6-9-17*

Amended the Health and Safety Code to provide for the transport of a person believed to have mental illness and pose a risk of substantial harm to an appropriate mental health facility by emergency medical services personnel.

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| **COLLEGES and UNIVERSITIES** |

**College Web Pages Dedicated to Mental Health Resources**

*HB 2895 by Rep. Price et al.; Sponsored by Sen. Seliger; Effective: 9-1-17*

Amended the Education Code to require a general academic teaching institution, medical and dental unit, public junior college, public state college, or public technical institute that is required to create a web page dedicated to information regarding the mental health resources available to students at the institution to include all resources, regardless of whether those resources are provided by the institution, and to maintain a conspicuous link to that web page on the institution’s website home page.

**Mental Health First Aid Training for University Employees**

*SB 1533 by Senator Rodríguez et al., Sponsored by Rep. Moody et. al.; Effective: 5-19-17*

Amended the Health and Safety Code to make a university employee who regularly interacts with students eligible for mental health first aid training provided by a local mental health authority through a Department of State Health Services grant.

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| **MILITARY and VETERANS** |

**Establishment of National Center for Warrior Resiliency**

*SB 27 by Sen. Campbell et al., Sponsored by Rep. Blanco; Effective: 9-1-17*

Amended the Government Code and Health and Safety Code to authorize the board of regents of The University of Texas System to establish the National Center for Warrior Resiliency at The University of Texas Health Science Center at San Antonio for purposes of researching issues relating to combat‑related post‑traumatic stress disorder and comorbid conditions and providing clinical care to enhance the psychological resiliency of military personnel and veterans. The bill provides for the participation of community‑based licensed mental health professionals, community‑based organizations, and faith‑based organizations in the mental health program for veterans established by the Department of State Health Services.

**Comprehensive Action Plan to Prevent Veteran Suicides**

*SB Bill 578 by Sen. Lucio et al.; Sponsored by Rep. Gutierrez et al.; Effective: 6-9-17*

Amended the Government Code to require the Health and Human Services Commission (HHSC), in collaboration with the Texas Coordinating Council for Veterans Services,the U.S. Department of Veterans Affairs, and others including veteran advocacy groups, medical providers, and any other organization or interested party HHSC considers appropriate, to develop a comprehensive action plan to increase access to and availability of professional veteran health services to prevent veteran suicides. The bill requires HHSC to make specific short-term and long-term statutory, administrative, and budget-related recommendations to the legislature and the governor regarding the policy initiatives and reforms necessary to implement the action plan.

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| **CRIMINAL JUSTICE** |

**Criminal Justice Response to Mental Health**

*SB 1849 by Sen. Whitmire et al.; Sponsored by Rep. Coleman et al.; Effective: 9-1-17 and 1-1-18*

Known as the Sandra Bland Act, amended the Code of Criminal Procedure, Government

Code, and Occupations Code to revise provisions relating to interactions between law

enforcement and individuals detained or arrested on suspicion of the commission of criminal

offenses and to the confinement, conviction, or release of those individuals, including persons

with a mental illness or intellectual disability. The bill revises provisions relating to grants

supporting populations that are more likely to interact frequently with law enforcement and

provides for the development of related local plans. The bill, among other provisions, establishes the prisoner safety fund to pay for certain mental health care access for prisoners, requires routine serious incidents reports in county jails and independent investigations of deaths occurring in county jails, and provides for the position of county jail administrator. The bill

expands the required peace officer and county jailer training, sets out additional requirements

for a law enforcement agency’s policy on racial profiling and law enforcement reports required

for motor vehicle stops, and revises provisions relating to peace officer equipment. SB 1849 takes effect September 1, 2017, except that provisions relating to county jailer training take effect January 1, 2018.