

1-1 By: Bell, et al. (Senate Sponsor - Kolthorst) H.B. No. 1794
 1-2 (In the Senate - Received from the House May 10, 2017;
 1-3 May 11, 2017, read first time and referred to Committee on Health &
 1-4 Human Services; May 19, 2017, reported favorably by the following
 1-5 vote: Yeas 8, Nays 0; May 19, 2017, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14			X	
1-15	X			
1-16	X			

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to the establishment of the Work Group on Mental Health
 1-20 Access for First Responders.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. (a) In this section:

1-23 (1) "Executive commissioner" means the executive
 1-24 commissioner of the Health and Human Services Commission.

1-25 (2) "First responder" has the meaning assigned by
 1-26 Section 421.095, Government Code.

1-27 (3) "First responder organization" means:

1-28 (A) an organization, including a fire
 1-29 department, law enforcement agency, or emergency medical services
 1-30 provider, of a political subdivision of this state that employs a
 1-31 first responder; or

1-32 (B) a volunteer fire department.

1-33 (4) "Work group" means the Work Group on Mental Health
 1-34 Access for First Responders.

1-35 (b) Not later than December 1, 2017, the Health and Human
 1-36 Services Commission shall establish the Work Group on Mental Health
 1-37 Access for First Responders to develop and make recommendations for
 1-38 improving access to mental health care services for first
 1-39 responders.

1-40 (c) The work group is composed of 15 members appointed by
 1-41 the executive commissioner, unless otherwise provided, as follows:

1-42 (1) one member from the Health and Human Services
 1-43 Commission with expertise in the field of mental health care;

1-44 (2) the dean of the Sam Houston State University
 1-45 College of Criminal Justice or the dean's designee;

1-46 (3) three practicing mental health professionals, as
 1-47 defined by Section 61.601, Education Code;

1-48 (4) one representative of volunteer fire departments;

1-49 (5) one representative of paid fire departments,
 1-50 appointed from a list provided by a statewide association of paid
 1-51 firefighters;

1-52 (6) two representatives of paid police departments,
 1-53 appointed from a list provided by a statewide association of police
 1-54 officers;

1-55 (7) one representative of a sheriff's department;

1-56 (8) two representatives of emergency medical services
 1-57 providers and personnel licensed under Chapter 773, Health and
 1-58 Safety Code, one of whom must be a representative of a fire
 1-59 department that provides emergency medical services and must be
 1-60 appointed from a list provided by a statewide association of paid
 1-61 firefighters;

- 2-1 (9) one municipal government representative;
- 2-2 (10) one county government representative; and
- 2-3 (11) one representative of the Texas Department of
- 2-4 Insurance.

2-5 (d) The member described by Subsection (c)(1) of this
2-6 section is the presiding officer of the work group.

2-7 (e) A work group member is not entitled to compensation for
2-8 service on the work group or to reimbursement for any expenses
2-9 incurred in performing work group duties.

2-10 (f) The work group shall meet at least quarterly at the call
2-11 of the presiding officer. Work group meetings are subject to the
2-12 open meetings law, Chapter 551, Government Code, except that the
2-13 work group may meet by teleconference.

2-14 (g) The Health and Human Services Commission shall provide
2-15 administrative support for the work group. Funding for the
2-16 administrative and operational expenses of the work group shall be
2-17 provided from the commission's existing budget. The work group may
2-18 accept gifts, grants, and donations from any source to perform a
2-19 work group duty.

2-20 (h) The work group shall develop recommendations to
2-21 address:

2-22 (1) the difference in access to mental health care
2-23 services between:

2-24 (A) volunteer fire departments and small law
2-25 enforcement agencies, fire departments, and emergency medical
2-26 services providers; and

2-27 (B) large law enforcement agencies, fire
2-28 departments, and emergency medical services providers;

2-29 (2) potential solutions for state and local
2-30 governments to provide greater access to mental health care
2-31 services for first responders;

2-32 (3) the sufficiency of first responder organizations'
2-33 employee health insurance plans for obtaining access to mental
2-34 health care services for first responders;

2-35 (4) the sufficiency of first responder organizations'
2-36 human resources policies, including:

2-37 (A) whether guaranteed employment should be
2-38 offered for a first responder who self-reports a mental health
2-39 issue;

2-40 (B) the effectiveness of existing municipal
2-41 employee assistance programs for treating post-traumatic stress
2-42 disorder and whether those programs should be expanded;

2-43 (C) any policy modification necessary to improve
2-44 access to mental health care services for first responders; and

2-45 (D) the establishment of best practices for
2-46 municipalities, counties, and state agencies regarding legal
2-47 reporting duties for first responders anonymously seeking mental
2-48 health treatment;

2-49 (5) the effectiveness of workers' compensation and
2-50 other benefit claims for first responders, including determining:

2-51 (A) the process by which those claims for first
2-52 responders are handled and whether that process may be improved;

2-53 (B) the feasibility of requiring post-traumatic
2-54 stress disorder to be covered under workers' compensation for first
2-55 responders and if covered, the standards for diagnosing that
2-56 condition;

2-57 (C) the effectiveness of workers' compensation
2-58 benefits and related benefits under Chapter 607, Government Code,
2-59 and whether those benefits are excessively denied;

2-60 (D) the effectiveness of outsourcing workers'
2-61 compensation and other benefit claims to third parties; and

2-62 (E) methods for improving the appeals process for
2-63 workers' compensation and other benefit claims;

2-64 (6) the feasibility of mental health training during
2-65 the licensing or certification and renewal process for first
2-66 responders;

2-67 (7) the effectiveness of methods for assessing a first
2-68 responder's mental health care needs after a critical incident,
2-69 including determining:

3-1 (A) the feasibility of creating a standardized
3-2 post-critical incident checklist to assess a first responder's
3-3 mental health and of establishing minimum requirements for a first
3-4 responder to return to duty; and
3-5 (B) the effectiveness of critical incident
3-6 stress debriefing programs used by local governments in this state
3-7 and whether:
3-8 (i) those programs may be expanded
3-9 statewide; and
3-10 (ii) peer support may benefit those
3-11 programs;
3-12 (8) the opportunities for public-private partnerships
3-13 to provide mental health care services to first responders; and
3-14 (9) possible Texas-specific barriers, including
3-15 stigmas, for first responders seeking mental health care services.
3-16 (i) In developing the recommendations described by
3-17 Subsection (h) of this section, and for academic research related
3-18 to the recommendations, the work group may collaborate with the
3-19 Bill Blackwood Law Enforcement Management Institute of Texas at Sam
3-20 Houston State University, the College of Criminal Justice at Sam
3-21 Houston State University, or any other academic institution
3-22 considered necessary by the presiding officer of the work group.
3-23 (j) The work group shall develop a written report of the
3-24 work group's recommendations described by Subsection (h) of this
3-25 section. The work group shall electronically deliver the report to
3-26 the governor, the lieutenant governor, and all members of the
3-27 legislature not later than January 1, 2019.
3-28 (k) The work group is abolished and this Act expires June 1,
3-29 2019.
3-30 SECTION 2. This Act takes effect September 1, 2017.

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