

By: Zerwas

H.B. No. 1448

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Texas Mental Health Care Consortium.

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

SECTION 1. Subtitle E, Title 2, Health and Safety Code, is amended by adding Chapter 113 to read as follows:

CHAPTER 113. TEXAS MENTAL HEALTH CARE CONSORTIUM

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 113.0001. DEFINITIONS. In this chapter:

(1) "Community mental health provider" means an entity that provides mental health care services at a local level. The term includes community centers established under Subchapter A, Chapter 534.

(2) "Consortium" means the Texas Mental Health Care Consortium.

(3) "Executive committee" means the executive committee of the consortium.

SUBCHAPTER B. CONSORTIUM

Sec. 113.0051. ESTABLISHMENT; PURPOSE. The Texas Mental Health Care Consortium is established to:

(1) leverage the expertise and capacity in the health-related institutions of higher education listed in Section 113.0052 to address urgent mental health challenges and improve the mental health care system in this state;

1 (2) enhance the state's ability to address mental
2 health care needs through stronger collaboration and institutional
3 alignment of the health-related institutions of higher education
4 listed in Section 113.0052;

5 (3) improve the effectiveness and efficiency of mental
6 health care services delivered in this state;

7 (4) facilitate access to mental health care services
8 through telemedicine and other cost-effective, evidence-based
9 programs;

10 (5) improve mental health and substance use disorder
11 research efforts conducted by institutions of higher education; and

12 (6) improve and expand the behavioral health workforce
13 through training and development opportunities between the
14 health-related institutions of higher education listed in Section
15 113.0052 and community mental health providers.

16 Sec. 113.0052. COMPOSITION. The consortium is composed of:

17 (1) the following health-related institutions of
18 higher education:

19 (A) Baylor College of Medicine;

20 (B) The Texas A&M University System Health
21 Science Center;

22 (C) Texas Tech University Health Sciences
23 Center;

24 (D) Texas Tech University Health Sciences Center
25 at El Paso;

26 (E) University of North Texas Health Science
27 Center at Fort Worth;

1 (F) Dell Medical School at The University of
2 Texas at Austin;

3 (G) The University of Texas Medical Branch at
4 Galveston;

5 (H) The University of Texas Health Science Center
6 at Houston;

7 (I) The University of Texas Health Science Center
8 at San Antonio;

9 (J) The University of Texas Rio Grande Valley
10 School of Medicine;

11 (K) The University of Texas Health Science Center
12 at Tyler; and

13 (L) The University of Texas Southwestern Medical
14 Center;

15 (2) the commission;

16 (3) not fewer than three nonprofit organizations that
17 focus on mental health care; and

18 (4) any other entity that the executive committee
19 considers necessary.

20 Sec. 113.0053. ADMINISTRATIVE ATTACHMENT. (a) The
21 consortium is administratively attached to the Texas Higher
22 Education Coordinating Board for the purpose of receiving and
23 administering appropriations and other funds under this chapter.
24 The board is not responsible for providing to the consortium staff
25 human resources, contract monitoring, purchasing, or any other
26 administrative support services.

27 (b) The Texas Higher Education Coordinating Board may not

1 use funds intended to carry out the purposes of this chapter for any
2 costs incurred by the board under this chapter.

3 SUBCHAPTER C. EXECUTIVE COMMITTEE

4 Sec. 113.0101. EXECUTIVE COMMITTEE COMPOSITION. The
5 consortium is governed by an executive committee composed of the
6 following members:

7 (1) the chair of the academic department of psychiatry
8 of each of the health-related institutions of higher education
9 listed in Section 113.0052;

10 (2) a representative of the commission with expertise
11 in the delivery of mental health care services, appointed by the
12 executive commissioner;

13 (3) a representative of the commission with expertise
14 in mental health facilities, appointed by the executive
15 commissioner;

16 (4) a representative of an organization that
17 represents the interests of community centers established under
18 Subchapter A, Chapter 534, designated by a majority of the members
19 described by Subdivision (1);

20 (5) a representative of each nonprofit organization
21 described by Section 113.0052 that is part of the consortium,
22 designated by a majority of the members described by Subdivision
23 (1); and

24 (6) any other representative designated by a majority
25 of the members described by Subdivision (1) at the request of the
26 executive committee.

27 Sec. 113.0102. PRESIDING OFFICER. The executive committee

1 shall elect a presiding officer from among the membership of the
2 executive committee.

3 Sec. 113.0103. MEETINGS. The executive committee shall
4 meet at the call of the presiding officer.

5 Sec. 113.0104. VACANCY. A vacancy on the executive
6 committee shall be filled in the same manner as the original
7 appointment.

8 Sec. 113.0105. GIFTS, GRANTS, AND DONATIONS. The executive
9 committee may accept on behalf of the consortium gifts, grants, or
10 donations from any public or private source for the purpose of
11 carrying out this chapter.

12 SUBCHAPTER D. POWERS AND DUTIES

13 Sec. 113.0151. GENERAL DUTIES. (a) The executive
14 committee shall:

15 (1) coordinate the provision of grants or other
16 funding to the health-related institutions of higher education
17 listed in Section 113.0052 to carry out the purposes of this
18 chapter;

19 (2) establish procedures and policies for the
20 administration of funds under this chapter;

21 (3) monitor contracts and other agreements entered
22 into under this chapter to ensure recipients of grants or other
23 funding comply with the terms and conditions of those contracts or
24 agreements; and

25 (4) establish procedures to document compliance by
26 executive committee members and staff with applicable laws
27 governing conflicts of interest.

1 (b) In carrying out the duties under Subsection (a), the
2 consortium shall ensure that evidence-based tools, including
3 telemedicine, are used to help expand the delivery of mental health
4 care services.

5 (c) The consortium shall designate a member of the executive
6 committee to work in liaison with the statewide behavioral health
7 coordinating council.

8 Sec. 113.0152. COMPREHENSIVE CHILD PSYCHIATRY ACCESS
9 CENTERS. (a) The consortium shall establish a network of
10 comprehensive child psychiatry access centers at the
11 health-related institutions of higher education listed in Section
12 113.0052.

13 (b) A center established under Subsection (a) shall
14 collaborate with community mental health providers to better care
15 for children and youth with behavioral health needs by:

16 (1) providing consultation services and training
17 opportunities for pediatricians and primary care providers
18 operating in the center's geographic region; and

19 (2) establishing or expanding a telemedicine or
20 telehealth program for identifying and assessing behavioral health
21 needs and providing access to mental health care services.

22 (c) A center established under Subsection (a) may enter into
23 a memorandum of understanding with a community mental health
24 provider to carry out this section.

25 Sec. 113.0153. MENTAL HEALTH RESEARCH PLAN. The consortium
26 shall:

27 (1) develop and implement a mental health research

1 plan to advance the research component of the statewide behavioral
2 health strategic plan;

3 (2) create an aggregated inventory of mental health
4 and substance use disorder research completed by institutions of
5 higher education in this state; and

6 (3) coordinate mental health and substance use
7 disorder research efforts by the health-related institutions of
8 higher education listed in Section 113.0052 to ensure those
9 institutions engage in effective and targeted research to leverage
10 additional funding.

11 Sec. 113.0154. BEHAVIORAL HEALTH WORKFORCE EXPANSION
12 PROJECT. (a) The consortium shall enhance collaboration between
13 the health-related institutions of higher education listed in
14 Section 113.0052 and community mental health providers to increase
15 psychiatric residency training and improve the quality of care for
16 persons receiving mental health care services in this state.

17 (b) The executive committee may provide grants or other
18 funding to the academic department of psychiatry at a
19 health-related institution of higher education listed in Section
20 113.0052 for the purpose of funding:

21 (1) one full-time psychiatrist to serve as academic
22 medical director for a community mental health provider; and

23 (2) two resident positions.

24 (c) An academic medical director described by Subsection
25 (b) shall collaborate and coordinate with community mental health
26 providers to expand the amount and availability of mental health
27 care resources by:

1 (1) developing training opportunities for residents
2 and medical students; and

3 (2) promoting the use of telemedicine or other
4 evidence-based tools to provide comprehensive mental health care
5 services to a greater population.

6 (d) An institution of higher education that receives grants
7 or other funding under Subsection (b) shall include in its
8 curriculum a requirement that psychiatric residents and medical
9 students participate in rotations through a facility operated by
10 community mental health providers.

11 Sec. 113.0155. REIMBURSEMENT FOR SERVICES. A person may
12 not be reimbursed by the consortium for providing mental health
13 care services under this chapter if the person is reimbursed under
14 Medicaid or another program operated by the commission for
15 providing those services.

16 Sec. 113.0156. ANNUAL REPORT. Not later than July 31 of
17 each year, the consortium shall submit to the governor, the
18 lieutenant governor, the speaker of the house of representatives,
19 and the standing committee of each house of the legislature with
20 primary jurisdiction over behavioral health issues and post on its
21 Internet website a written report that outlines:

22 (1) the activities and objectives of the consortium;

23 (2) the health-related institutions of higher
24 education listed in Section 113.0052 awarded grants or other
25 funding by the executive committee;

26 (3) any prospective grants or funding the consortium
27 expects to receive; and

1 (4) any research accomplishments associated with the
2 consortium.

3 SUBCHAPTER E. MISCELLANEOUS PROVISIONS

4 Sec. 113.0201. JUDICIAL INSTRUCTION REGARDING MENTAL
5 HEALTH CARE RESOURCES. The Supreme Court of Texas and the Texas
6 Court of Criminal Appeals, in consultation with the consortium,
7 shall develop a training program to educate and inform designated
8 judges and their staff on mental health care resources available
9 within the geographic region in which the designated judges
10 preside. The Supreme Court of Texas and the Texas Court of Criminal
11 Appeals may develop and operate the training program in conjunction
12 with any other training programs.

13 SECTION 2. As soon as practicable after the effective date
14 of this Act, the executive commissioner of the Health and Human
15 Services Commission and the members of the executive committee
16 described by Section 113.0101(1), Health and Safety Code, as added
17 by this Act, shall make the appointments and designations required
18 by Section 113.0101, Health and Safety Code, as added by this Act.

19 SECTION 3. This Act takes effect immediately if it receives
20 a vote of two-thirds of all the members elected to each house, as
21 provided by Section 39, Article III, Texas Constitution. If this
22 Act does not receive the vote necessary for immediate effect, this
23 Act takes effect September 1, 2019.