

SECOND REGULAR SESSION

HOUSE BILL NO. 2223

97TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE PETERS.

6495L.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapter 161, RSMo, by adding thereto one new section relating to school-based comprehensive mental health programs.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 161, RSMo, is amended by adding thereto one new section, to be known as section 161.995, to read as follows:

161.995. 1. The department of elementary and secondary education in collaboration with the department of mental health shall establish a comprehensive school-based mental health program to assist children in dealing with trauma and violence. Using moneys from the school-based mental health program fund established in subsection 5 of this section, the department of elementary and secondary education shall:

(1) Provide financial support to enable local communities to implement a comprehensive culturally and linguistically appropriate, and age-appropriate, school mental health program that incorporates positive behavioral interventions and treatment, and fosters the health and development of children;

(2) Provide technical assistance to local communities with respect to the development of school mental health programs;

(3) Provide assistance to local communities in the development of policies to address child and adolescent trauma and mental health issues and violence when and if it occurs;

(4) Facilitate community partnerships among families, students, law enforcement agencies, education systems, mental health agencies, substance abuse agencies, family-based mental health service systems, welfare agencies, health care service systems, faith-based programs, trauma networks, and other community-based systems; and

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 (5) Establish mechanisms for children and adolescents to report incidents of
19 violence or plans by other children, adolescents, or adults to commit violence.

20 2. Individual school programs established in local communities under this section
21 shall have the following objectives:

22 (1) The promotion of the social, emotional, and behavioral health of all students in
23 an environment that is conducive to learning;

24 (2) The reduction in the likelihood of at-risk students developing social, emotional,
25 behavioral health problems, or substance abuse disorders;

26 (3) The early identification of social, emotional, behavioral problems, or substance
27 use disorders and the provision of early intervention services;

28 (4) The treatment or referral for treatment of students with existing social,
29 emotional, behavioral health problems, or substance use disorders; and

30 (5) The development and implementation of programs to assist children in dealing
31 with trauma and violence.

32 3. The department of elementary and secondary education shall provide for in-
33 service training of all school personnel, including ancillary staff and volunteers in the
34 following areas:

35 (1) The techniques and supports needed to identify early children with trauma
36 histories and children with, or at risk of, mental illness;

37 (2) The use of referral mechanisms that effectively link such children to
38 appropriate treatment and intervention services in the school and in the community and
39 to follow up when services are not available;

40 (3) Strategies that promote a school-wide positive environment;

41 (4) Strategies for promoting the social, emotional, mental, and behavioral health
42 of all students; and

43 (5) Strategies to increase the knowledge and skills of school and community leaders
44 about the impact of trauma and violence and on the application of a public health
45 approach to comprehensive school-based mental health programs.

46 4. The department of elementary and secondary education shall ensure that
47 comprehensive training is available at the local community level for parents, siblings, and
48 other family members of children with mental health disorders, that provides instruction
49 in:

50 (1) The techniques and supports needed to identify early children with trauma
51 histories and children with, or at risk of, mental illness;

52 (2) The use of referral mechanisms that effectively link such children to
53 appropriate treatment and intervention services in the school and in the community and
54 to follow up when services are not available;

55 (3) Strategies that promote a school-wide positive environment.

56 5. There is hereby created in the state treasury the "School-based Mental Health
57 Program Fund", which shall consist of money appropriated to it by the general assembly
58 and any gifts, contributions, grants, or bequests received from federal, private, or other
59 sources. The state treasurer shall be custodian of the fund and shall approve
60 disbursements from the fund in accordance with sections 30.170 and 30.180. Upon
61 appropriation, money in the fund shall be used solely for the administration of sections
62 620.3200 to 620.3214. Notwithstanding the provisions of section 33.080, to the contrary,
63 any moneys remaining in the fund at the end of the biennium shall not revert to the credit
64 of the general revenue fund. The state treasurer shall invest moneys in the fund in the
65 same manner as other funds are invested. Any interest and moneys earned on such
66 investments shall be credited to the fund.

67 6. The department of elementary and secondary education may promulgate all
68 necessary rules and regulations for the administration of this section. Any rule or portion
69 of a rule, as that term is defined in section 536.010, that is created under the authority
70 delegated in this section shall become effective only if it complies with and is subject to all
71 of the provisions of chapter 536 and, if applicable, section 536.028. This section and
72 chapter 536 are nonseverable and if any of the powers vested with the general assembly
73 pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul
74 a rule are subsequently held unconstitutional, then the grant of rulemaking authority and
75 any rule proposed or adopted after August 28, 2014, shall be invalid and void.

76 7. Under section 23.253 of the Missouri sunset act:

77 (1) The provisions of the new program authorized under this section shall
78 automatically sunset six years after the effective date of this section unless reauthorized by
79 an act of the general assembly; and

80 (2) If such program is reauthorized, the program authorized under this section
81 shall automatically sunset twelve years after the effective date of the reauthorization of this
82 section; and

83 (3) This section shall terminate on September first of the calendar year immediately
84 following the calendar year in which the program authorized under this section is sunset.

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