hopeful futures campaign

2023 School Mental Health STATE LEGISLATIVE GUIDE

powered by inseparable



2023 School Mental Health STATE LEGISLATIVE GUIDE

inseparable

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Inseparable is a growing movement working to advance policy solutions that reflect the belief that our mental and physical well-being are not inseparable, and mental health care is health care, period. www.inseparable.us info@inseparable.us



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About the Hopeful Futures Campaign

The Hopeful Futures Campaign, powered by Inseparable, unites a broad range of impactful organizations dedicated to promoting school mental health policies that help every child get the support they need to thrive.

Hopeful Futures Campaign Partners

Active Minds Bring Change to Mind Center for Law And Social Policy (CLASP) Healthy Schools Campaign Hopelab Inseparable Mental Health America (MHA) Mindful Philanthropy Moms Rising Together National Alliance on Mental Illness (NAMI) National Association of School Psychologists (NASP) National Center for School Mental Health National Parent Teacher Association (PTA) Partnership to End Addiction Pinterest **Rare Beauty** Stronger than Stigma The Good Life Movement The Jed Foundation The Kennedy Forum The Trevor Project **UNICEF USA**

YourMomCares



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Introduction

Mental health challenges among children and youth are rising. In 2021, more than 40% of high school students felt persistently sad or hopeless and more than 20% seriously considered attempting suicide.¹ When youth struggle with their mental health, it can affect their education, their relationships with their teachers, parents, family, and friends, and even their health and safety.

Fortunately, prevention and early intervention work. The earlier youth get help, the better the outcomes. One of the best ways to help youth get help early is to provide mental health supports where they are—in school. To support youth, legislators across the country and across the aisle are increasingly making school mental health a top priority. This school mental health state legislative guide is intended to provide legislators with practical policy recommendations that support student mental health, with examples of recently passed legislation, in three categories:

- > School Mental Health Services
- > Financing
- > Prevention and Early Intervention

The Hopeful Futures Campaign is grateful to the many state legislators who have championed school mental health legislation, some of which is featured in this guide, and welcome the opportunity to partner with legislators who are interested in advancing school mental health policy in their own state.

It's high time we start putting mental health in schools at the forefront. By taking simple steps, ...we can set the example for how American schools should provide for their students."

Izzie House

A junior at East High School in Denver, CO, The Colorado Sun²



School Mental Health Services

The mental health challenges facing youth are so pervasive that the American Academy of Pediatrics, the American Academy of Child and Adolescent Psychiatry, and the Children's Hospital Association declared a national emergency in 2021. Data from the Center for Disease Control & Prevention (CDC) shows that 42% of high school students reported persistent feelings of sadness or hopeless and noted "significant increases in the percentage of youth who seriously considered suicide, made a suicide plan, and attempted suicide."³

One of the best ways to get children the help they need is to provide mental health support where they are—in school. School-based mental health services reduce barriers to care such as transportation and parents needing to take time off from work. School-based mental health services also normalize mental health care, reduce stigma, and minimize inequities - particularly for low-income families and historically underserved students. Yet, despite the need for school mental health services, six in 10 public schools (61%) report insufficient mental health staff to manage caseloads.⁴





Policy Recommendations

To increase the availability of mental health services for students, states are encouraged to:

- > Improve the ratios of school counselors, school social workers, and school psychologists
- > Expand the school mental health workforce pipeline
- > Implement school telemental health programs
- > Facilitate school-linked mental health services

Recommended policies, including examples of recent legislation, are discussed in more detail in the following pages.

POLICY RECOMMENDATION

Improve the ratios of school counselors, school social workers, and school psychologists

School counselors: 1:250

School social workers: 1:250

School psychologists: 1:500 School counselors, school social workers, school psychologists, and other school health professionals are the cornerstone of comprehensive school mental health systems. The ratio of students to school mental health professionals is a signal of schools' ability to provide the supports that help students succeed academically and in life. States should strive to meet the following nationally recommended ratios of school mental health professionals to students:

- School counselors 1:250⁵
- School social workers 1:250⁶
- School psychologists 1:500⁷

School Mental Health Services

LEGISLATIVE HIGHLIGHT

Georgia

Passed:	HB19 (2023) General Appropriations bill for FY23-24
Champions:	Reps. Jon Burns (R), Jan Jones (R), Chuck Efstration (R), Matt Hatchett (R), Sen. Blake Tillery (R)
Summary:	This budget invested \$26.9 million to increase the number of school counselors to serve Georgia's approximately 1.7 million K-12 student population.



Learn more about Georgia's mental health victory.

LEGISLATIVE HIGHLIGHT

Delaware

Passed:	HB 300 (2022) "School Mental Health Professionals for grades 6-8" HB 100 (2021) "School Mental Health Professionals for grades K-5"	
Champion:	Speaker Valerie Longhurst (D)	Read Delaware's Bay to Bay New Guest
Summary:	 These two bills improve the ratios of school mental health professionals for grades K-8 over three years as follows: 1 full-time equivalent (FTE) school counselor, school 	Commentary: At last, Delaware's kids are getting the mental health support
	social worker, or licensed clinical social worker per 250 students	they deserve.
	 1 FTE school psychologist per 700 students. 	





Improving the ratios of school counselors, school social workers, and school psychologists



BILL TITLE
Department of Education
Supplemental
Appropriations

BILL NUMBER SB23-115 (2023)

BILL STATUS Enacted Feb 2023

PRIMARY SPONSOR(S)

Sen. Rachel Zenzinger (D) Rep. Shannon Bird (D)

BILL DESCRIPTION

Bill Text (Part IV- Department of Education)

Supplemental appropriations to:

- Behavioral Health Care Professional Matching Grant Program to support behavioral health professionals in schools and/or contracts with community providers (\$14,959,590)
- School Counselor Corps Grant Program to support school counselors, including professional development (\$12,260,970)



BILL TITLE *unofficial title School Mental Health Professionals for grades K-5*

BILL NUMBER

HB100 (2021)

Enacted Aug 2021

BILL STATUS

PRIMARY SPONSOR(S)

Speaker Valerie Longhurst (D)

BILL DESCRIPTION

Bill Text (House Bill No. 100)

Beginning in FY2022, increases mental health professionals in grades K-5 over a period of three years to arrive at a final ratio of:

- 1 full-time equivalent (FTE) school counselor, school social worker, or licensed clinical social worker per 250 students
- 1 FTE school psychologist per 700 students.

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School Mental Health Services

EXAMPLES OF RECENT LEGISLATION

Improving the ratios of school counselors, school social workers, and school psychologists (Continued)



BILL TITLE *unofficial title

BILL NUMBER

HB 300 (2022)

BILL STATUS Enacted Aug 2022

School Mental Health Professionals for grades 6-8*

PRIMARY SPONSOR(S)

Speaker Valerie Longhurst (D)

BILL DESCRIPTION

House Bill No. 100

Beginning in FY2023, increases mental health professionals in grades 6-8 over a period of three years to arrive at a final ratio of:

- 1 full-time equivalent (FTE) school counselor, school social worker, or licensed clinical social worker per 250 students
- 1 FTE school psychologist per 700 students.



BILL TITLE

Education (Appropriations bill) **BILL NUMBER** HB 5101 (2023) BILL STATUS

Enacted Jun 2023

PRIMARY SPONSOR(S)

Pre-K-12 Appropriations Subcommittee and Rep. Josie Tomkow (R)

BILL DESCRIPTION

Bill Text

Directs employment of school-based mental health providers to expand and enhance services and to reduce the ratio of students to staff.





Improving the ratios of school counselors, school social workers, and school psychologists (Continued)



BILL TITLE General Appropriations bill for FY23-24 **BILL NUMBER** HB 19 (2023) BILL STATUS Enacted May 2023

PRIMARY SPONSOR(S)

Reps. Jon Burns (R), Jan Jones (R), Chuck Efstration (R), Matt Hatchett (R), Sen. Blake Tillery (R)

BILL DESCRIPTION

The Governor's Budget Report, 160.8

Invests 26.9 million to increase the number of counselors to serve students in K-12.



BILL TITLE Education Finance Bill **BILL NUMBER** HF 2497 (2023) BILL STATUS

Enacted May 2023

PRIMARY SPONSOR(S)

Reps. Cheryl Youakim (DFL), Laurie Pryor (DFL), Mary Frances Clardy (DFL), Josiah Hill (DFL)

Sen. Mary K. Kunesh (DFL), Assistant Majority Leader

BILL DESCRIPTION

Bill Text (Sec.13. [127A.215])

Promising policy:

Establishes a comprehensive school mental health services lead to serve as a source of information and support for schools in addressing the mental health needs of students, teachers, and staff and in developing comprehensive school mental health systems.

School Mental Health Services

POLICY RECOMMENDATION

Expand the school mental health workforce pipeline



Ashley, a mother, posts about why it's important to have adults checking in with students at school. As states seek to increase school mental health professionals to meet student needs, they may be hampered by mental health workforce shortages. These workforce shortages present a significant barrier to care. To address these challenges, many states are implementing a range of initiatives, including:

- Interstate compacts
- Loan repayment programs
- Modified supervision and/or internship requirements
- Outreach and recruitment programs
- Stipends or scholarships for students entering school mental health professions
- Professional license and credentialing fee subsidies

LEGISLATIVE HIGHLIGHT

Colorado

- Passed: <u>SB23-004</u> Employment of School Mental Health Professionals
- **Champions:** Sen. Janice Marchman (D), Sen. Sonya Jaquez Lewis (D), Rep. Dafna Michaelson Jenet (D), Rep. Mary Young (D)
- Summary: This legislation allows employment of licensed mental health professionals to provide services in schools without requiring a special license from the Department of Education. School-based providers must pass a background check and be supervised by someone licensed through the Department of Education or a licensed administrator.



	Nevada
Passed:	AB37 "Behavioral Health Workforce Development Center of Nevada"
Champions:	Assembly Committee on Education
Summary:	 This legislation authorizes the Board of Regents of the University of Nevada to establish the Behavioral Health Workforce Development Center of Nevada and to accept gifts, grants, and donations to support the Center, which must consist of: 1. a main hub located at an institution within the University of Nevada system; and
	2. regional hubs in each of the five behavioral health regions.
	The Center is required to develop and implement a strategic plan for the recruitment, education, and retention of a qualified, diverse, and evolving behavioral health workforce in Nevada. The legislation provides approximately \$2 million for personnel and operating expenses.
Read More:	Schools struggle to hire more mental health professionals for students ⁸



School Mental Health Services

EXAMPLES OF RECENT LEGISLATION

Expanding the school mental health workforce pipeline



BILL TITLE

Employment Of School Mental Health Professionals

BILL NUMBER SB23-004 (2023)

BILL STATUS Enacted May 2023

PRIMARY SPONSOR(S)

Sens. Janice Marchman (D), Sonya Jaquez Lewis (D), Reps. Dafna Michaelson Jenet (D), Mary Young (D)

BILL DESCRIPTION

Bill Text (Section 1.)

Colorado Revised Statutes 22-60.5-218 Allows employment of Colorado-licensed school-based therapists to provide services in schools without requiring a special license from the Department of Education; school-based providers must pass a background check and be supervised by someone licensed through the Department of Education or a licensed administrator.



BILL TITLE *unofficial title

Education Appropriations Bill* BILL NUMBER SF560 (2023)

BILL STATUS Enacted Jun 2023

PRIMARY SPONSOR(S)

Senate Appropriations Committee

BILL DESCRIPTION

Bill Text (Section 27(k))

Appropriates \$520,000 for the mental health professional loan repayment program fund.





> Expanding the school mental health workforce pipeline (Continued)



BILL TITLE

Maryland Educator Shortage Reduction Act of 2023

BILL NUMBER HB1219 (2023)

BILL STATUS Enacted May 2023

PRIMARY SPONSOR(S)

Speaker Adrienne A. Jones (D) at request of the Administration

BILL DESCRIPTION

Bill Text

Provides Janet L. Hoffman Loan Assistance Repayment Program, which includes mental health professionals who provide services in a public school for at least two years.



BILL TITLE *unofficial title

Behavioral Health Workforce Development Center of Nevada* BILL NUMBER AB 37 (2023)

BILL STATUS

Enacted Jun 2023

PRIMARY SPONSOR(S) Assembly Committee on Education

BILL DESCRIPTION

Bill Text (Section 10.5)

Authorizes the Board of Regents of the University of Nevada to establish and accept gifts, grants and donations for a Behavioral Health Workforce Development Center of Nevada and five regional hubs. Requires a strategic plan and annual reporting. Provides appropriation for personnel and operating expenses:

- For the Fiscal Year 2023-2024.....\$684,926
- For the Fiscal Year 2024-2025 \$1,369,321



> Expanding the school mental health workforce pipeline (Continued)



BILL TITLE General Appropriation Act of 2023 BILL NUMBER HB2 (2023) BILL STATUS Enacted Apr 2023

PRIMARY SPONSOR(S)

Reps. Nathan P. Small (D), Meredith A. Dixon (D)

BILL DESCRIPTION

Bill Text (Section 5)

Appropriates \$2,000,000 for pilot residency programs for principals, school counselors, and school social workers.



BILL TITLE
*unofficial title

Grow Your Own Educator Pipeline Program* BILL NUMBER

HB 190 (2023)

BILL STATUS

Enacted Mar 2023

PRIMARY SPONSOR(S)

Rep. Melissa G. Ballard (R), Sen. Michael K. McKell (R)

BILL DESCRIPTION

Bill Text (Section 1. Section 53F-5-218)

Expands the scope of the Grow Your Own Educator Pipeline Program, a competitive grant program to fund scholarships for school staff or interns, to now include education and training to become licensed school psychologists or licensed school social workers.





> Expanding the school mental health workforce pipeline (Continued)



BILL TITLE

Student Behavioral Health Services Amendments

BILL NUMBER HB 411 (2023)

BILL STATUS Enacted Mar 2023

PRIMARY SPONSOR(S)

Rep. Karen M. Peterson (R), Sen. Ann Millner (R)

BILL DESCRIPTION

Bill Text (Section 53F-2-415)

Expands school personnel to include behavioral health support personnel that are not certified or licensed, but meet professional qualifications as defined by state board rule and work under the direct supervision of qualifying personnel.



BILL TITLE *unofficial title School Psychologists Staffing Flexibility* BILL NUMBER HB 2124 (2023) BILL STATUS

Enacted Mar 2023

PRIMARY SPONSOR(S)

Dels. Tony O. Wilt (R) and Sam Rasoul (D)

BILL DESCRIPTION

Bill Text (Section H4)

Permits local school boards to employ licensed clinical psychologists under a provisional license issued by the Department of Education for three school years (with a two-year extension possible), provided individuals make progress toward completing school psychologist licensure requirements.

School Mental Health Services

POLICY RECOMMENDATION

Implement school telemental health programs



Telemental health provides an opportunity to increase access to mental health services and supports in schools that lack adequate in-school resources. In rural and underserved communities, in particular, telemental health programs can reduce disparities in access to care. Telemental health is also valuable in reducing the time students spend away from class and reduces transportation challenges and the need for parents and guardians to take time away from work. Finally, telemental health can provide access to providers with specialized expertise, such as with eating disorders, and providers that may better meet the needs of students and families.

LEGISLATIVE HIGHLIGHT

Texas

Passed:	SB 11 (2019) Child Psychiatry Access Network and Telemedicine and Telehealth Programs
Champions:	Sen. Larry Taylor (R), Reps. Greg Bonnen (R), Dan Huberty (R), William Metcalf (R), Shawn Thierry (D), Four Price (R)
Summary:	This legislation required the <u>Texas Child Mental Health Care</u> <u>Consortium</u> to establish telemental health programs for at-risk children and youth. The Texas Child Health Access Through Telemedicine (TCHATT) program supports local school districts in identifying and assessing mental health needs and providing access to services.
Read More:	The Washington Post: As student mental health needs soar, schools turn to telehealth





Implementing school telemental health programs



BILL TITLE

School Security and School Behavioral Health Services Funding

BILL NUMBER HB22-1243 (2022)

BILL STATUS

Enacted May 2022

PRIMARY SPONSOR(S)

Reps. Tony Exum (D), Kevin Van Winkle (R), Sens. Chris Kolker (D), Nick Hinrichsen (D)

BILL DESCRIPTION

Bill Text (Section 2)

Provides \$6 million in American Rescue Plan Act funding to continue student access to up to six free telemental health therapy sessions through the "I Matter" program.



BILL TITLE *unofficial title

Texas Child Health Access Through Telemedicine (TCHATT)* BILL NUMBER

SB 11 (2019)

BILL STATUS

Enacted Jun 2019

PRIMARY SPONSOR(S)

PreK-12 Appropriations Subcommittee and Rep. Josie Tomkow (R)

BILL DESCRIPTION

Bill Text (Sec. 113.0151)

Requires the Texas Child Mental Health Care Consortium to establish telemental health programs for at-risk youth.



> Implementing school telemental health programs (Continued)



BILL TITLE * *unofficial title* Biennial Operating Budget*

BILL NUMBER SB 5187 (2023) BILL STATUS Enacted May 2023

PRIMARY SPONSOR(S)

Sens. Christine Rolfes (D), June Robinson (D), Joe Nguyen (D)

BILL DESCRIPTION

Bill Text (Section 509 and 510(3))

Provides \$500,000 annually for two years for education service districts to provide telemental health services to students in rural areas.



POLICY RECOMMENDATION

Facilitate school-linked mental health services

School-linked services remove barriers to access to mental health services for students – especially underinsured and uninsured students – and in mental health provider shortage areas. Partnerships between community mental health providers and school systems provide another pathway to support student mental health needs. These partnerships typically provide on-campus services but are termed "school-linked" because the providers are not school employees. By leveraging existing community resources, school-linked mental health services can offer a solution where there are shortages of school-based mental health professionals. Additionally, school-linked services may be able to provide complementary services and supports that enhance existing school-based mental health services.

LEGISLATIVE HIGHLIGHT

California

Passed:	SB 75 (2019) Mental Health Student Services Act
Champions:	Senate Committee on Budget and Fiscal Review
Summary:	The <u>Mental Health Student Services Act (MHSSA)</u> allocated \$40 million to provide competitive grants for school-county mental health partnerships. These partnerships provide school- based services to children, youth, and their families. Subsequently,
	the Budget Act of 2021 provided an additional \$95 million to fund applicants and, in a third phase, \$100 million of American Rescue Plan Act (ARPA) funds were provided to establish 20 additional counties in establishing a MHSSA program.



> Facilitating school-linked mental health services



BILL TITLE Education Finance bill BILL NUMBER SB 75 (2019) BILL STATUS Enacted Jul 2019

PRIMARY SPONSOR(S)

Senate Committee on Budget and Fiscal Review

BILL DESCRIPTION

Bill Text (Section 67. Chapter 3.5886)

Establishes the Mental Health Student Services Act competitive grant program for school-county mental health partnerships.



BILL TITLE Education bill **BILL NUMBER** HB 5101 (2023)

BILL STATUS

Enacted Jun 2023

PRIMARY SPONSOR(S)

PreK-12 Appropriations Subcommittee and Rep. Josie Tomkow (R)

BILL DESCRIPTION

Bill Text (Section 1006.041)

Requires each school district to implement a mental health program that includes, among other provisions, contracts or agreements with community behavioral health providers to provide services at schools, including via telehealth.





Implementing school telemental health programs



BILL TITLE *unofficial title

Maryland Consortium on Coordinated Community Supports* BILL NUMBER SB 0802 (2022) BILL STATUS Enacted May 2022

PRIMARY SPONSOR(S)

Sens. Guy Guzzone (D), Katie Fry Hester (D)

BILL DESCRIPTION

Bill Text (Section 1)

Revises membership of the Consortium on Coordinated Community Supports, which promotes community partnerships to meet students' behavioral health needs and appropriates \$85,000,000 in FY2024, \$110,000,000 in FY2025, and \$130,000,000 in FY2026.



BILL TITLE

Omnibus Health and Human Services Appropriations bill*

BILL NUMBER

SF 12 (2019)

BILL STATUS

Enacted May 2019

PRIMARY SPONSOR(S)

Sens. Michelle Benson (R), Jim Abeler (R), Reps. Tina Liebling (DFL), Rena Moran (DFL), Laurie Halverson (DFL), Jennifer Schultz (DFL), Dave Pinto (DFL)

BILL DESCRIPTION

Bill Text (Section 245.4901)

School-Linked Behavioral Health Grants Program to provide early identification and intervention for students with mental health and substance use disorder needs and to build the capacity of schools to support students with behavioral health needs.



> Implementing school telemental health programs (Continued)



BILL TITLE Public education bill BILL NUMBER SB 1043 (2023) BILL STATUS Enacted Mar 2023

PRIMARY SPONSOR(S)

Sens. Jeremy McPike (D), Barbara Favola (D)

BILL DESCRIPTION

Bill Text (Section 22.1-272.2)

Requires development of a model memorandum of understanding between a school board and a community mental health provider.





Financing

With youth mental health challenges continuing to rise, 69% of public schools reported an increase in the percentage of students seeking school mental health services.¹⁰ In the face of this growing demand, **nearly half** of public schools (47%) report that inadequate funding limits their efforts to provide mental health services to students in need.¹¹

Medicaid can play an important role in helping meet this demand for school mental health services by bringing federal matching funds that help state and local dollars go further. Many state Medicaid programs cover school mental health services, including telehealth, for all Medicaid-enrolled students, but **over half of states limit coverage to students on an Individualized Education Plan (IEP).** Additionally, some states are leaving federal dollars on the table because their Medicaid programs do not include coverage of school-based mental health professionals or services.

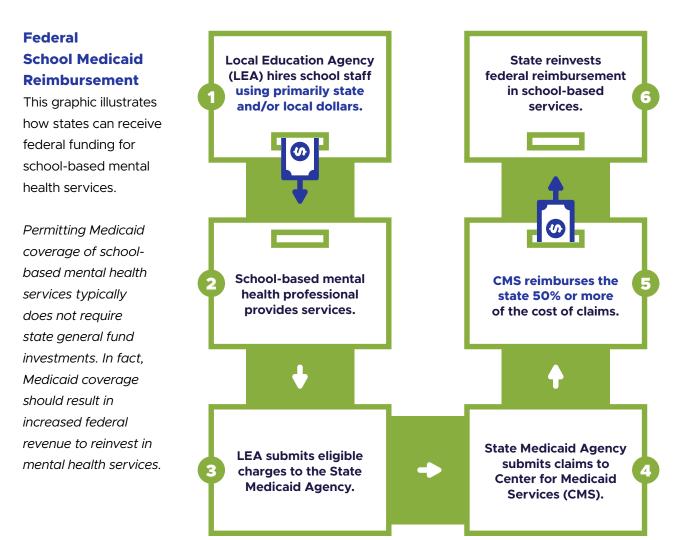


Policy Recommendation

To provide more diversified and sustainable funding for school-based mental health services, states are encouraged to:

> Extend Medicaid to cover school-based mental health services

The recommended policy, including examples of recent legislation, is discussed in more detail in the following pages.





POLICY RECOMMENDATION

Extending Medicaid to cover school-based mental health services

21 states

have extended their school Medicaid programs to cover more services:

Arizona

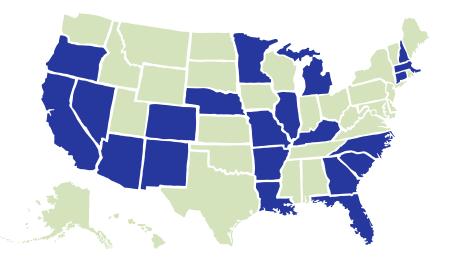
Arkansas California Colorado Connecticut Florida Georgia Illinois Kentucky Louisiana **Massachusetts** Michigan **Minnesota** Missouri Nebraska Nevada **New Hampshire New Mexico North Carolina** Oregon

South Carolina

Since 1988, Medicaid has reimbursed states for medical services provided in a school-based setting for students with an Individualized Education Program (IEP). In 2014, the Center for Medicare and Medicaid Services (CMS) <u>clarified</u> that states can also be reimbursed for eligible services provided to all Medicaid-enrolled students. Currently 21 states have done so.¹²

New <u>federal guidance</u>, released in May 2023, gives states additional flexibility in implementing school Medicaid programs. According to a Healthy Schools Campaign Brief:

Expanding billing for more students could mean more federal revenue to the state and more reimbursement to districts. And since most schools already deliver some of these services (and pay for them with education dollars), bringing in federal reimbursement can replace scarce education money and help stretch resources further.¹³





> Extending Medicaid to cover school-based mental health services



BILL TITLE

An Act Concerning the Mental, Physical and Emotional Wellness of Children

BILL NUMBER SB 2 (2023)

BILL STATUS Enacted Jun 2023

PRIMARY SPONSOR(S)

Committee on Children

BILL DESCRIPTION

Bill Text (Section 9)

Requires the Commissioner of Social Services to provide Medicaid reimbursement for school-based suicide risk assessments, mental health evaluations and services; requires Medicaid state plan amendment, if necessary, and requires reimbursement set at a level that ensures an adequate pool of providers.



BILL TITLE

Insurance matters

BILL NUMBER HB 1405 (2021) BILL STATUS

Enacted Apr 2021

PRIMARY SPONSOR(S)

Rep. Martin Carbaugh (R)

BILL DESCRIPTION

Bill Text (Section (16)(e))

Allows the office of the secretary of family and social services to apply for a Medicaid state plan amendment to allow Medicaid reimbursement for medically necessary, school-based services.





Extending Medicaid to cover school-based mental health services (Continued)



BILL TITLE *unofficial title

School Medicaid Reimbursement*

BILL NUMBER A 3334 (2022)

BILL STATUS Enacted Jul 2023

PRIMARY SPONSOR(S)

Assms. Louis Greenwald (D), Angelica Jimenez (D), Reginald Atkins (D), Sens. Vin Gopal (D), Teresa Ruiz (D)

BILL DESCRIPTION

Bill Text

Requires Commissioner of Human Services to apply for a state plan amendment to implement Medicaid reimbursement for covered behavioral health services provided by local education agencies to Medicaid-enrolled students.



BILL TITLE

The Promoting Access to Increased Mental Health Services For All Students Act

BILL NUMBER

HB 5010/ SB 869 (2023)

BILL STATUS

Enacted Jun 2023

PRIMARY SPONSOR(S)

Reps. Joseph McNamara (D), Mary Ann Shallcross Smith (D), Barbara Ann Fenton-Fung (R), Thomas Noret (D), Susan Donovan (D), Sens. Sandra Cano (D), Victoria Gu (D), Alana DiMario (D)

BILL DESCRIPTION

Bill Text

Requires that services provided by school social workers and certified school psychologists be included as health care related services eligible for federal Medicaid reimbursement and encourages state departments to expand opportunities for local education agencies to bill and obtain federal Medicaid reimbursement for school-based services.





Prevention and Early Intervention

- Half of all mental disorders begin by age 14 and 75% by age 24.¹⁴ Fortunately, prevention and early intervention work.

Research shows that the earlier a person gets effective mental health treatment, the better the outcomes. In addition, research shows there are an array of supports and services that promote children's mental health and well-being and, at the same time, reduce the likelihood or severity of future mental health challenges.

Schools are a natural setting for providing an environment and practices that promote mental health and observing early signs of students who may be at risk. In schools that have adopted the "Multi-Tiered Systems of Support," or MTSS framework (see Appendix A), these are known as Tier 1 interventions.¹⁵

In addition to mental health promotion, there is also a need to ensure early intervention for youth. For example, a youth that has experienced a trauma, such as a school shooting, may be struggling. There is benefit if they can get help early—before challenges rise to the level of meeting criteria for a formal mental health diagnosis. With the right policies, states can support resiliency and mental wellness and help youth stay safe, healthy, and happy.





Policy Recommendations

To support mental health prevention and early intervention, states are encouraged to:

- > Promote skills for life success
- > Increase suicide prevention awareness and training
- > Require mental health education
- > Permit excused absences for mental health
- > Provide annual mental health screenings
- > Provide access to mental health services without a formal diagnosis

Recommended policies, including examples of recent legislation, are discussed in more detail on the following pages.

POLICY RECOMMENDATION

Promote skills for life success



See a post by Tiffany about how her 7-yearold daughter taught her how to manage stress. Skills for life success¹⁶ are key competencies, such as relationship skills, self-management, responsible decisionmaking, self-awareness, and social awareness, that affect students' success in school and life and contribute to mental wellness. Multiple studies, including in the American Journal of Public Health, have found that social-emotional skills have strong associations with young adult outcomes across multiple areas, including academic achievement and mental health.¹⁷

Life skills are recognized as essential to succeeding not just at school, but also at work. An AEI/Brookings report, *Opportunity, Responsibility, and Security,* recommends that education promotes social-emotional as well as academic skills and notes that these skills have a significant influence on people's educational attainment, employment, and earnings.¹⁸

> Promoting skills for life success



BILL TITLE

Pupil health: socialemotional, behavioral, and mental health supports

BILL NUMBER AB 1479 (2023)

PRIMARY SPONSOR(S)

Asm. Eduardo Garcia (D)

BILL STATUS

Passed Assembly and Senate Committee on Education as of Jun 2023

BILL DESCRIPTION

Bill Text (Section 49591.1)

Establishes the Pupil Social-Emotional, Behavioral, and Mental Health Program for local educational agencies to provide evidence-based Tier 1 social-emotional preventive interventions, including supports that promote positive behaviors and relationships, social-emotional learning, and coping skills for stress and anxiety.



BILL TITLE

Block Grant Funding for Prevention Programs in Public Education

BILL NUMBER

HB 16 (2023)

BILL STATUS Enacted Mar 2023

PRIMARY SPONSOR(S)

Rep. Susan Pulsipher (R), Sen. Ann Millner (R)

BILL DESCRIPTION

Bill Text (Section 53F-2-525)

Provides block grant funding for evidence-based early intervention and prevention programs in education, including positive behavioral plans and resiliency building skills.



POLICY RECOMMENDATION

Increase suicide prevention awareness and training



42% of high school students

reported feeling persistently sad or hopeless in the past year. Every day, youth experience mental health, substance use, and suicidal crises. The Centers for Disease Control and Prevention (CDC) reports that, in 2021, over four in 10 (42%) high school students reported feeling persistently sad or hopeless in the past year, and one in 10 (10%) made at least one suicide attempt.¹⁹ In addition, emergency department visits for suspected suicide attempts were 50.6% higher among girls ages 12-17 than during the previous year.²⁰ For youth ages 10-14 years old, suicide is the second leading cause of death.²¹

To address alarming rates of suicide, states should adopt comprehensive policies and programs. An excellent resource is the "Model School District Policy on Suicide Prevention: Model Language, Commentary, and Resources,"²² which is endorsed by the American Foundation for Suicide Prevention, American School Counselor Association, National Association of School Psychologists, and The Trevor Project.

LEGISLATIVE HIGHLIGHT

Vermont

Passed: <u>H481 (2023)</u> "An Act to Address Death by Suicide"

Champions: House Committee on Health Care

Summary: Requires the Director of Suicide Prevention to develop a strategic plan and, in collaboration with the Agency of Education and stakeholders, to develop a model protocol for all schools regarding suicide prevention, education, and postvention services.



Increasing suicide prevention awareness and training



BILL TITLE *unofficial title

Inclusion of Crisis Hotline Information Student

Identification Cards*

BILL NUMBER HF 602 (2023) BILL STATUS Enacted Jun 2023

PRIMARY SPONSOR(S)

Iowa House Committee on Education

BILL DESCRIPTION

Bill Text (Section 1. New Section. 279.77)

Requires public schools that issue identification cards to include the crisis hotline phone and text numbers and the internet address for the "Your Life Iowa" program or successor program (*Formerly HF 101*).



BILL TITLE

Firearm Safety and Suicide Prevention Education Requirements

BILL NUMBER

HB 481 (2023)

BILL STATUS Enacted Mar 2023

PRIMARY SPONSOR(S)

Rep. Sahara Hayes (D), Sen. Stephanie Pitcher (D)

BILL DESCRIPTION

Bill Text (Section 1. Section 53G-9-601)

Requires a school to provide suicide prevention materials and information, including information on firearm and medication safety, to a parent of a child who has threatened suicide or parents of students involved in an incident of bullying or other abusive conduct.





> Increasing suicide prevention awareness and training (Continued)



BILL TITLE
*unofficial title

An Act to Address Death by Suicide*

<u>H 481 (2023)</u>

BILL NUMBER

BILL STATUS Enacted Jun 2023

PRIMARY SPONSOR(S)

House Committee on Health Care

BILL DESCRIPTION

Bill Text (Section 1.18 V.S.A. Chapter 192 § 8151)

Requires the Director of Suicide Prevention to develop a strategic plan and, in collaboration with the Agency of Education and stakeholders, to develop a model protocol for all schools regarding suicide prevention, education, and postvention services.



BILL TITLE

988 Behavioral Health Crisis Response and Suicide Prevention System--Implementation

BILL NUMBER

HB 1134 (2023)

BILL STATUS

Enacted May 2023

PRIMARY SPONSOR(S)

Rep. Tina Orwall (D) et al.

BILL DESCRIPTION

Bill Text (Section 3)

Requires development and dissemination of informational materials and a social media campaign relating to the 988-crisis hotline, including appropriate information for students at K-12 schools. Prevention and Early Intervention

POLICY RECOMMENDATION

Require mental health education

According to a 2020 Harris poll, 70% of teenagers said, "I wish I learned more about mental health and coping mechanisms in school."²⁶

Mental health education increases awareness and understanding of mental health conditions, including signs and symptoms, treatment, and support options. Research shows that mental health literacy also reduces stigma and increases positive attitudes toward mental health.²³ When states require mental health as part of the standard school curriculum, it serves to normalize mental health as part of overall health and helps ensure that students will receive developmentally appropriate information. The <u>"Strengthening Youth Mental Health: A Governor's Playbook,"</u> released in July 2023, includes mental health education as a policy recommendation to increase awareness and reduce stigma.²⁴

In 2018, New York passed the first legislation requiring mental health to be part of elementary, middle, and high school health education. Today, 20 states have similar legislation.²⁵

LEGISLATIVE HIGHLIGHT

Utah

Passed: SB 171 (2022) Behavioral Health Curriculum Program

Champions: Sen. Daniel Thatcher (R), Rep. Steve Eliason (R)

Summary: This legislation requires the Huntsman Mental Health Institute and the State Board of Education to develop an age-appropriate youth mental health curriculum, which is to be updated annually, and made available to elementary and secondary schools, parents and guardians, and youth-serving organizations.





Requiring mental health education



BILL TITLE *unofficial title Mental Health

Education*

BILL NUMBER

HB 301 (2022)

BILL STATUS

Enacted Aug 2022

PRIMARY SPONSOR(S)

Speaker Valerie Longhurst (D), Sen. Sarah McBride (D)

BILL DESCRIPTION

Bill Text (Section 4116A)

Requires the Department of Education, with the approval of the State Board of Education, to establish and implement statewide mental health education programs for K-12.



BILL TITLE

Behavioral Health Curriculum Program

BILL NUMBER

SB 171 (2022)

BILL STATUS

Enacted Mar 2022

PRIMARY SPONSOR(S)

Sen. Daniel Thatcher (R), Rep. Steve Eliason (R)

BILL DESCRIPTION

Bill Text (Section 53B-17-1302)

Requires the Huntsman Mental Health Institute and the State Board of Education to develop an age-appropriate youth mental health curriculum, which is to be updated annually, and made available to elementary and secondary schools, parents and guardians, and youth-serving organizations.

B Prevention and Early Intervention

POLICY RECOMMENDATION

Permit excused absences for mental health



Read why more students and parents are calling for mental health days. Students are routinely allowed excused absences when they need the time or care to heal from an illness or injury. Similarly, students should have the opportunity for excused absences when they are mentally unwell, struggling, or receiving treatment for a mental health challenge. According to the National Alliance on Mental Illness:

School policies that recognize mental health symptoms and treatment as an acceptable reason for absence can help students take the time they need to care for themselves, restore their health and help minimize additional symptoms.²⁷

In 2019, Oregon and Virginia became the first states to explicitly allow excused absences for students' mental health. Today, over a dozen states have passed similar legislation.²⁸

LEGISLATIVE HIGHLIGHT

Delaware

Passed: HB 3 (2023) "School Attendance"

Champions: Speaker Valerie Longhurst (D), Sen. Laura Sturgeon (D)

Summary: Permits excused absences for mental health; allows school districts to determine the maximum number of excused absences allowable; requires referral to a school-based or behavioral mental health specialist after the second and subsequent mental health excused absences.





> Permitting excused absences for mental health



BILL TITLE *unofficial title School Attendance*

BILL NUMBER

HB 3 (2023)

PRIMARY SPONSOR(S)

Speaker Valerie Longhurst (D), Sen. Laura Sturgeon (D)

BILL STATUS

Passed legislature Jun 2023; awaiting Governor's signature

BILL DESCRIPTION

Bill Text (Section 2702)

Permits excused absences for mental health; allows school districts to determine the maximum number of excused absences allowable; requires referral to a school-based or behavioral mental health specialist after the second and subsequent mental health excused absences.



BILL TITLE

Student Behavior, Discipline, and Behavioral and Mental Health

BILL NUMBER HB 353 (2023)

BILL STATUS Enacted Jun 2023

PRIMARY SPONSOR(S)

Reps. C. Denise Marcelle (D), Alonzo Knox (D)

BILL DESCRIPTION

Bill Text

Allows for up to three days of mental health excused absences; requires referral to appropriate school support personnel after the second day of absence in the school year.



> Permitting excused absences for mental health (Continued)



BILL TITLE
Student Excused
Absences—Mental Health

BILL NUMBER HB 1834 (2022) BILL STATUS Enacted Mar 2022

PRIMARY SPONSOR(S)

Reps. Lisa Callan (D), Skyler Rude (R)

BILL DESCRIPTION

Bill Text

Requires adoption of rules that establish that an absence for a mental health reason is categorized as an excused absence due to illness, health condition, or medical appointment.



POLICY RECOMMENDATION

Provide annual mental health screenings



See how screenings can help parents know how to best help their children. Regular mental wellness checks can help identify students who may need additional support before any challenges develop or worsen. Early intervention is essential to helping students thrive. According to the Centers for Disease Control and Prevention (CDC), approximately **20% of students show signs and symptoms of a mental health disorder each year and nearly two in five youth will meet criteria for a mental health condition by age 18.**²⁹

Well-being checks, or mental health screenings, should use an evidence-based tool or process to screen all students, not just those at risk, for possible mental health challenges. According to the National Center for School Mental Health, screening measures may also be used to ask students about indications of well-being and positive mental health, life satisfaction, school belonging, social determinants of mental health, and adverse early life experiences.

LEGISLATIVE HIGHLIGHT

Louisiana

Passed:	HB 353 (2023) Student Behavior, Discipline, and Behavioral
	and Mental Health
Champions:	Reps. C. Denise Marcelle (D), Alonzo Knox (D)
Summary:	This legislation requires the Department of Education to develop a
	pilot program in three school systems to implement trauma-informed
	mental health screenings and provide related mental health services.



Providing annual mental health screenings



BILL TITLE
School Mental Health
Assessment

BILL NUMBER HB23-1003 (2023)

BILL STATUS Enacted Jun 2023

PRIMARY SPONSOR(S)

Rep. Dafna Michaelson Jenet (D), Sen. Lisa Cutter (D)

BILL DESCRIPTION

Bill Text

Creates a mental health screening program available to public schools serving grades 6-12; requires use of an evidence-based screening tool and specifies responses related to screening results.



BILL TITLE

Student Behavior, Discipline, and Behavioral and Mental Health

BILL NUMBER HB 353 (2023)

BILL STATUS

Enacted Jun 2023

PRIMARY SPONSOR(S)

Reps. C. Denise Marcelle (D), Alonzo Knox (D)

BILL DESCRIPTION

Bill Text

Requires the Department of Education to develop a pilot program in three school systems to implement trauma-informed mental health screenings and provide related mental health services.





> Providing annual mental health screenings (Continued)



BILL TITLE Student Mental Health Amendments

BILL NUMBER HB 403 (2023) BILL STATUS Enacted Mar 2023

PRIMARY SPONSOR(S)

Rep. Steve Eliason (R), Sen. Ann Millner (R)

BILL DESCRIPTION

Bill Text

Permits local education agencies (LEAs) to adopt evidence-based mental health screening for participating students; allows legislative appropriations to implement screenings and to provide additional supports.

B Prevention and Early Intervention

POLICY RECOMMENDATION

Provide access to Medicaid youth mental health services without a formal diagnosis



27 states do not require a diagnosis for ages 0–6. This is necessary for all youth. As more and more youth experience mental health challenges, including mental health traumas, there is a compelling need to provide help early. Removing a requirement of a formal mental health diagnosis is an important policy step to reduce barriers to youth getting the mental health services they need before their challenges become more severe. This policy change not only increases the ability of mental health providers to intervene early, but it can also reduce the fear of stigma and discrimination attached to diagnostic labels.

EXAMPLE OF RECENT LEGISLATION

Providing access to Medicaid youth mental health services without a formal diagnosis



BILL TITLE

Access to Certain Behavioral Health Services

BILL NUMBER SB23-174 (2023)

BILL STATUS Enacted 2023

PRIMARY SPONSOR(S)

Sens. Chris Kolker (D), Bob Gardner (R), Reps. Meghan Lukens (D), Ty Winter (R)

BILL DESCRIPTION

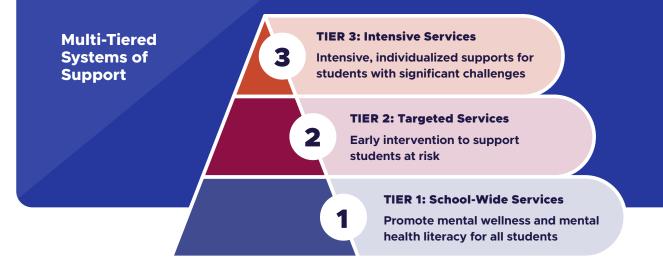
Bill Text (Section 1. 25.5-1-133)

Allows Medicaid enrollees under the age of 21 to receive limited mental health services without requiring a diagnosis. Appendix A: Comprehensive School Mental Health Systems



Comprehensive School Mental Health Systems

One of the most effective approaches to get youth the help they need is to meet them where they're at—in schools. Comprehensive school mental health systems play a vital role in normalizing mental health care and reducing barriers to treatment, especially for students who are underserved, and work in partnership with youth, families, and communities to provide multi-tiered systems of support (MTSS).³⁰



TIER 1

Universal mental health promotion (all students)

Includes healthy school climate policies and initiatives, mental health education and training, well-being checks, and skills for life success, such as selfmanagement, responsible decision-making, and relationship skills.



Early identification and intervention (students at risk for mental health concerns)

Includes assessment for behavioral health challenges and plans of support, individual counseling, small group interventions, and connections to community resources and services.



Intensive treatment and supports (students with greater needs)

Includes more intensive treatment and supports, such as individual or family therapy, medications, or team-based interventions that are often provided through school-linked mental health services (outside professionals or clinics who provide services in the school) or connections to community providers.

hopeful futures campaign

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Appendix B: Parents and Students Support for School Mental Health Services

Parents and Students Support for School-Based Mental Health Services

Mental health supports in schools, where youth spend so many of their waking hours, are critical to giving every child in America a chance for a hopeful and healthy future. School-based services are vital because half of all mental health conditions emerge by age 14, and suicide is the second leading cause of death for children ages 10-14. In addition, youth are six times more likely to complete treatment provided in schools compared to other community settings.³¹

Overwhelmingly, parents want schools to be a place for their children to access mental health services.

Four in 10 parents are very or extremely worried their child might struggle with anxiety or depression.³²



88% of parents support schools providing resources and services to support student mental health³³



76% of parents support providing more mental health professionals in schools³⁴

Most students want more help for mental health at school.

Eight in 10 teens (81%) say mental health is a significant issue for young people.³⁵ Since the start of the pandemic, 70% of schools reported an increase in students seeking mental health services in schools.³⁶



76% of teens say their school should offer more outlets for students struggling with mental health³⁷

70% wish they had learned more about mental health and coping mechanisms in school³⁸ .

Appendix B: Parents and Students Support for School Mental Health Services



Promoting Parent Partnerships

Parents are paramount in ensuring that their children are healthy, happy, and safe. Schools share those aims and support parents by carrying out a myriad of functions to promote students' health, happiness, and safety. However, requiring parents to opt-in before a student is screened or receives assistance can have unintended and detrimental consequences by disrupting life-saving preventive screenings and jeopardizing children who are the victims of abuse.

There is a simple solution. Provide parents notification and an opportunity to *opt-out*.

Delivering services (screenings, assessments, counseling, etc.) under an opt-out model increases the likelihood of student participation while preserving parental choice. With so many children hurting and in distress, we need supportive policies that allow schools and parents to work together to provide all children with a hopeful future.

Notes

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² House, I. (2023, March 30). Opinion: Too many Colorado students grapple with anxiety and depression alone. The Colorado Sun. <u>https://coloradosun.com/2023/03/30/children-mental-health-screening-colorado-general-assembly/</u>

³ Division of Adolescent and School Health, National Center for HIV, Viral Hepatitis, STD, and TB Prevention, Centers for Disease Control and Prevention. (2023). *Youth Risk Behavioral Survey: Data Summary & Trends Report, 2011-2021*. <u>https://www.cdc.gov/healthyyouth/data/yrbs/pdf/YRBS_Data-Summary-Trends_</u> Report2023_508.pdf

⁴ Institute of Education Sciences, U.S. Department of Education. (2022 April). School Pulse Panel. [Data set]. https://ies.ed.gov/schoolsurvey/spp/

⁵ American School Counselor Association. (2023). *School Counselor Roles & Ratios*. https://www.schoolcounselor.org/About-School-Counseling/School-Counselor-Roles-Ratios

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⁸ Ma, A, Belsha, K, Wall, P. (18 November 2022). Schools struggle to hire more mental health professionals for students. PBS News Hour. <u>https://www.pbs.org/newshour/education/schools-struggle-to-hire-more-mental-health-professionals-for-students</u>

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¹⁰ Ibid.

¹¹ Ibid.

¹² **Current 21 states reimbursed for Medicaid-eligible services:** Arizona, Arkansas, California, Colorado, Connecticut, Florida, Georgia, Illinois, Kentucky, Louisiana, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, Nevada, New Hampshire, New Mexico, North Carolina, Oregon, South Carolina.

¹³ Healthy Schools Campaign. (2022 May). *Financial Impact of Expanding School Medicaid Programs*. https://healthystudentspromisingfutures.org/wp-content/uploads/2022/07/Financial-Impact-of-Expanding-School-Medicaid.pdf

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Notes



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¹⁶ Also known as "social-emotional learning"

¹⁷ Jones DE, PhD, Greenberg M, PhD, and Crowley M, PhD. (2015 November). Early Social-Emotional Functioning and Public Health: The Relationship Between Kindergarten Social Competence and Future Wellness. American Journal of Public Health. https://ajph.aphapublications.org/doi/full/10.2105/AJPH.2015.302630

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²⁵ **20 states requiring mental health education:** Arizona, Colorado, Connecticut, Delaware, Georgia, Illinois, Maine, Maryland, Nevada, New Hampshire, New Jersey, New York, North Carolina, Oklahoma, Rhode Island, Texas, Utah, Vermont, Virginia, Washington.

²⁶ 4-H and The Harris Poll. (2020 June) *Teen Mental Health*. <u>https://4-h.org/about/blog/new-survey-finds-7-in-</u>10-teens-are-struggling-with-mental-health/

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²⁸ **12 states permitting absences for mental health:** Arizona, California, Colorado, Connecticut, Illinois, Kentucky, Maine, Nevada, Oregon, Utah, Virginia, Washington.

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³⁶ National Center for Education Statistics. (2022, May 31). Roughly half of public schools report that they can effectively provide mental health services to all students in need. Institute of Education Science. https://nces.ed.gov/whatsnew/press_releases/05_31_2022_2.asp

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³⁸ Ibid.



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