

BILL ANALYSIS

Senate Research Center

S.B. 1703
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Education
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As Filed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Research shows that prevention, early identification, and treatment of mental health and substance abuse problems are critical to children's successful participation in school, family, and community activities.

As proposed, S.B. 1703 provides more children with mental health and substance abuse services, including school-based services, by better preparing educators, communities, and the Department of State Health Services (DSHS) to address these services. Individuals seeking certification to teach would be trained in strategies to identify and refer students with mental health and substance abuse problems. Continuing education would also be authorized on this issue. Local school health advisory councils would be required to recommend to its board of trustees to coordinate and continue to expand the development of its existing school-based mental health and substance abuse programs. In order to ensure that children are receiving quality services, an Office of Children's Mental Health and Substance Abuse should be established at DSHS.

RULEMAKING AUTHORITY

Rulemaking authority previously granted to the State Board for Educator Certification is modified in SECTION 2 (Section 21.054, Education Code) of this bill.

Rulemaking authority is expressly granted to the commissioner of state health services in SECTION 4 (Section 1001.0731, Health and Safety Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 21.050(b), Education Code, to require the State Board for Educator Certification to provide for training in early identification of and referral strategies for students with mental health and substance abuse problems to be included in the requirements for certification within existing curriculum.

SECTION 2. Amends Section 21.054(a), Education Code, to make a conforming change.

SECTION 3. Amends Subchapter A, Chapter 38, Education Code, by adding Section 38.025, as follows:

Sec. 38.025. LOCAL SCHOOL HEALTH ADVISORY COUNCIL AND MENTAL HEALTH AND SUBSTANCE ABUSE COORDINATION. Requires a local school health advisory council established under Section 28.004 (Local School Health Advisory Council and Health Education Instruction) to make recommendations to the board of trustees of the school district regarding coordination of existing school-based mental health and substance abuse services and further development of those services, including the incorporation of information regarding substance abuse prevention, mental health education, and access to related services.

SECTION 4. Amends Subchapter D, Chapter 1001, Health and Safety Code, by adding Section 1001.0731, as follows:

Sec. 1001.0731. OFFICE OF CHILDREN'S MENTAL HEALTH AND SUBSTANCE ABUSE. (a) Requires the commissioner of state health services by rule to establish an

Office of Children's Mental Health and Substance Abuse to provide services to children in this state.

(b) Requires the Department of State Health Services, through the office established under Subsection (a), to collaborate with certain entities and individuals to ensure the quality of mental health and substance abuse services and delivery of those services.

SECTION 5. Requires the commissioner of state health services to adopt rules establishing the Office of Children's Mental Health and Substance Abuse not later than January 1, 2006.

SECTION 6. Makes application of SECTIONS 1-3 of this Act prospective to the 2005-2006 school year.

SECTION 7. Effective date: upon passage or September 1, 2005.