



Hogg Foundation
for Mental Health

88th Texas Legislative Session Summary

The Hogg Foundation for Mental Health Policy Team

Agenda

The Policy Team

Legislative Session 101
Refresher

Legislative Session Summary

Q&A

Hogg Foundation for Mental Health

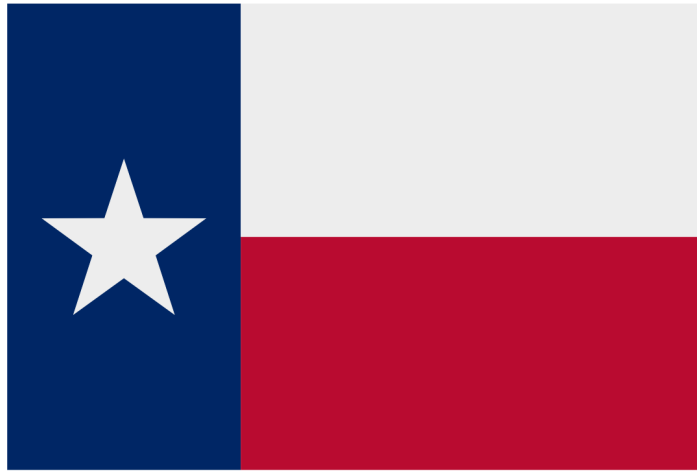
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88th Texas Legislative Session 101 Refresher

The Basics

Texas legislature is divided by two chambers:

- Senate (31 senators, 4 year terms)
- House (150 representatives, 2 year terms)



“The Big Three”: Texas Political Leadership

- **Governor**: chosen by popular vote
- Gov. Greg Abbott (4-year term)

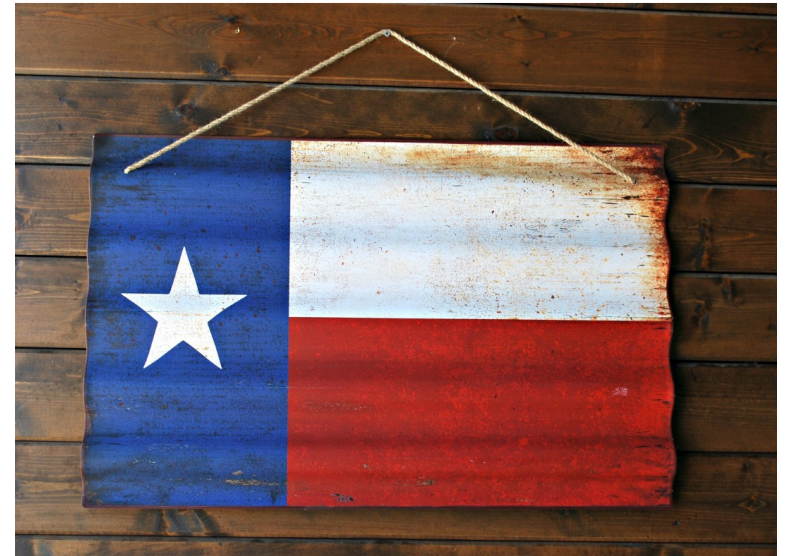
- **Lieutenant Governor**: chosen by popular vote, President of the Senate
- Lt. Gov. Dan Patrick (4-year term)

- **Speaker of the House**: chosen by other Representatives, head of the House
- Speaker Dade Phelan (2-year term)



Session & Everything In Between

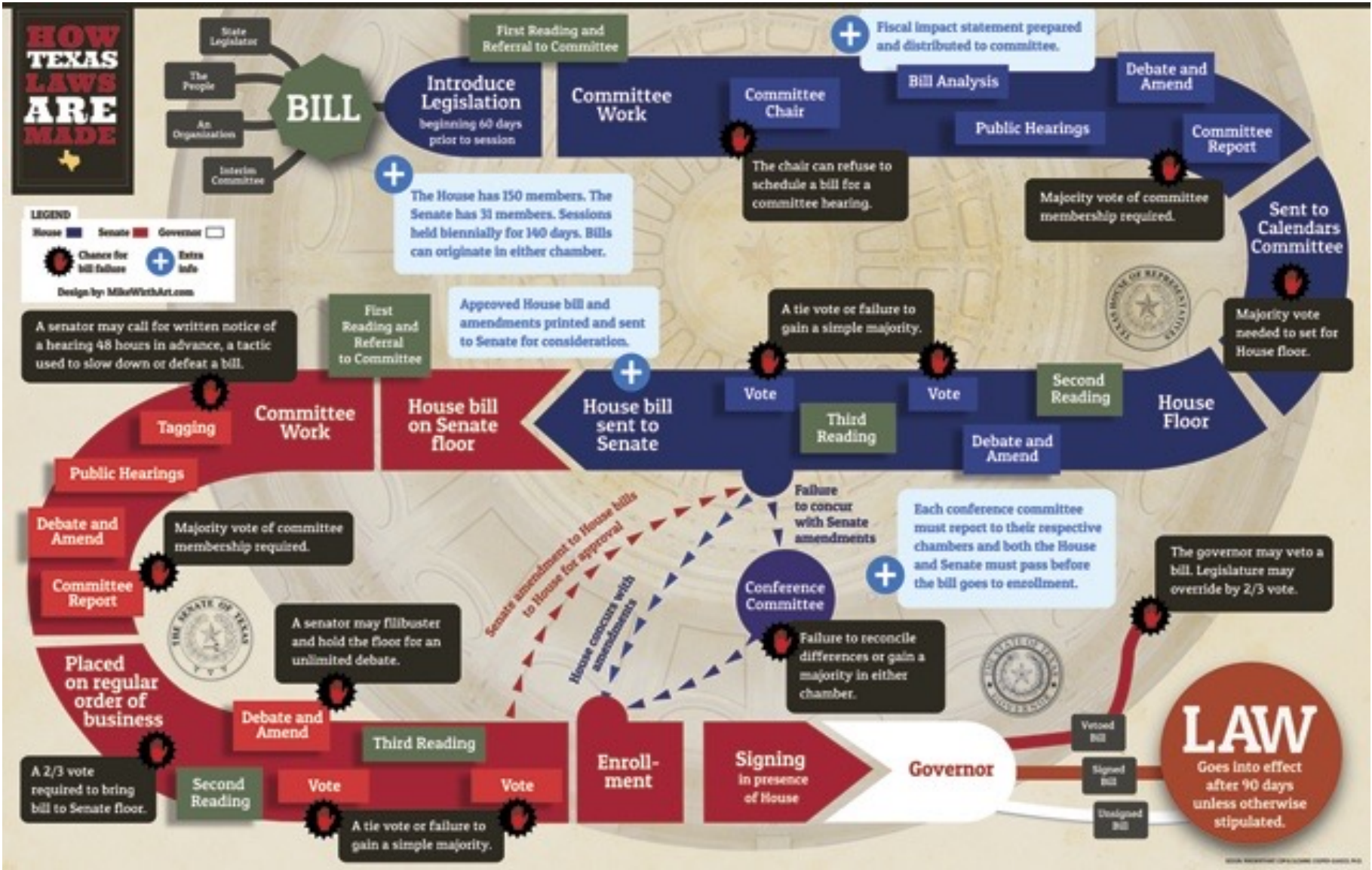
- Meets every other year on odd-numbered years for 140 days (Jan-June)
- Important Dates
 - First day of the 88th Session: January 10th, 2023
 - Inauguration: January 17th, 2023
 - 60-day bill filing deadline: March 10th, 2023
 - Sine die: May 29th, 2023
- Only the Governor can call a Special Session
- Special Sessions: 30 days, limited topics



The 88th Legislative Session

- Began January 10th, 2023; ended on May 29th
- 1st special session started on May 29th on property taxes and immigration
- Currently in the 2nd special session started on June 28th on property taxes

- Texas House of Representatives: 150 members (64 D; 86 R)
- Texas Senate: 31 (12 D; 19 R)
- State surplus of **\$32.7 billion**



88th Legislative Session Summary

**House Bill 1
(Bonnen/Huffman)
Budget Outcomes
Impacting Mental Health**

Article II: Health and Human Services Commission(HHSC)

| Budget Strategy | SB 1 FY 2022/23 | HB 1 FY 2024/25 | Difference |
|------------------------------------------|--------------------|--------------------|---------------|
| D.2.1 Community Mental Health – Adults | \$785,705,000 | \$902,488,498 | \$116,783,498 |
| D.2.2 Community Mental Health – Children | \$187,879,512 | \$221,258,318 | \$33,378,806 |
| D.2.3 Community Mental Health Crisis | \$231,398,300 | \$333,626,094 | \$102,227,794 |
| D.2.4 Substance Abuse Services | \$496,360,084 | \$554,070,891 | \$57,710,807 |
| D.2.5 Behavioral Health Waivers | \$58,874,900 | \$66,077,690 | \$7,202,790 |
| D.2.6 Community Mental Health Grants | \$145,000,000 | \$213,000,000 | \$68,000,000 |
| G.2.1 State Mental Health Hospitals* | \$965,484,056 | \$1,167,992,552 | \$202,508,496 |
| G.2.2 Community Mental Health Hospitals | \$307,010,202 | \$623,416,853 | \$316,406,651 |

Article II: HHSC, Rider 48 - Community Mental Health Grant Programs

- \$20 million for veterans and their families;
- \$80 million for reducing criminal justice involvement and forensic commitment wait time;
 - \$10 million to the most populous county;
- \$45 million for the community mental health grant program;
- \$23 million to Healthy Community Collaboratives; and
- **\$15 million for an innovation grant program to support community-based initiatives for children and families.**
 - **With the passage of SB 26 (Kolkhorst/Jetton), an additional \$15 million is allocated.**

Article II: HHSC, Rider 52

- Address **workforce challenges** in state facilities
 - \$134 million to State Hospitals
 - \$202 to State Supported Living Centers (SSLCs)
- Additional **community inpatient beds**
 - State Hospital Contract Beds: \$8.4 million to contract for 20 competency restoration beds and \$8 million for 16 beds.
 - John S. Dunn Behavioral Health Sciences Center: \$9.4 million to increase funding for 144 beds and \$12.2 million for 24-bed expansion to address forensic waitlist.
 - Purchased Psychiatric Beds: \$200 million to maintain current capacity and for 193 additional state-purchased beds, including 70 in rural communities and 123 in urban communities. Of this funding, \$13.7 million is required to be used in Uvalde, and **20 contracted beds for children in DFPS conservatorship**.
 - Inpatient Capacity Expansion: \$91.6 to contract for 150 competency restoration beds
 - Sunrise Canyon: \$6 million to increase funding for inpatient beds at Sunrise Canyon Hospital.
- **Step-down transition and housing** for individuals exiting a State Hospital
 - \$5 million to establish transition teams at each state hospital
 - \$17 million to expand step-down housing
- Expanding **mental health crisis services**
 - Crisis Stabilization Facilities
 - \$28 million to fund up to 5 crisis stabilization facilities;
 - \$2.5 million in FY 24 to the LMHA servicing Montgomery, Walker and Liberties Counties;
 - \$8 million to the LMHA servicing Galveston County; and
 - \$8 million year to the LMHA servicing the Heart of Texas region.
 - Youth Crisis Respite: \$11.5 million to fund 4 youth-serving crisis respite units and pilot three peer-run units.
 - Youth Mobile Crisis Outreach Team (MCOTs): \$14 million to establish youth MCOTs, including 3 DFPS teams.
- Programs for **High-Risk Youth**
 - Multisystemic therapy (MST): \$30.5 million
 - Coordinate Specialty Care (CSC): \$4 million
 - Uvalde Mental Health Services: \$5 million in FY 25 to start and operate a new Uvalde Behavioral Health Campus.

Article III: Texas Education Agency (TEA) Student Well-Being and School Climate-Related Funding

| Budget Strategy | SB 1 FY 2022/23 | HB 1 FY 2024/25 | Difference |
|-------------------------------------------------------------------|--------------------|--------------------|-------------|
| Amachi Texas – included in Strategy A.2.2 | \$5,000,000 | \$10,000,000 | \$5,000,000 |
| Disability Community-Based Support – included in Strategy A.2.3 | \$1,974,600 | \$1,974,600 | \$0 |
| School Safety Allotment– included in Strategy A.1.1* | \$100,000,000 | \$100,000,000 | \$0 |
| Communities in Schools – included in Strategy A.2.4 | \$61,043,632 | \$68,840,532 | \$7,796,900 |
| Best Buddies – included in Strategy A.2.4 | \$500,000 | \$2,000,000 | \$1,500,000 |
| Customized School Safety Programming – included in Strategy B.2.2 | \$2,000,000 | \$2,000,000 | \$0 |

**Note: The School Safety Allotment’s allowable uses include “school climate” uses.*

Article III: Higher Education Mental Health and Well-Being-Related Funding

| Budget Strategy | SB 1 FY 2022/23 | HB 1 FY 2024/25 | Difference |
|---------------------------------------------------------------------------------|--------------------|--------------------|---------------|
| Higher Education Coordinating Board (HECB) | | | |
| Mental Health Professionals Loan Repayment Program – included in Strategy C.1.3 | \$2,071,876 | \$28,000,000 | \$25,928,124 |
| Family Practice Rural and Public Health Rotations – included in Strategy D.1.1 | \$227,914 | \$227,914 | \$0 |
| D.1.7 Child Mental Health Care Consortium | \$118,508,272 | \$280,555,912 | \$162,047,640 |
| D.1.8 Forensic Psychiatry Fellowship Program | \$0 | \$5,000,000 | \$5,000,000 |
| G.1.2 Autism Grant Program | \$7,410,000 | \$7,410,000 | \$0 |
| Texas State University (TSU) | | | |
| C.2.3 School Safety Center | \$10,990,944 | \$10,990,944 | \$0 |

Article III: Higher Education Mental Health and Well-Being-Related Funding (continued)

| Budget Strategy | SB 1 FY 2022/23 | HB 1 FY 2024/25 | Difference |
|----------------------------------------------------------------------|--------------------|--------------------|--------------|
| The University of Texas Health Science Center at San Antonio (UT SA) | | | |
| E.2.1 Opioid Abuse Prevention | \$0 | \$18,735,964 | \$18,735,964 |
| The University of Texas Health Science Center at Tyler (UT Tyler) | | | |
| D.1.1 Mental Health Workforce Training Programs | \$13,460,000 | \$13,460,000 | \$0 |

Note: Institutions of Higher Education do not always have dedicated strategies for mental health and well-being. The amounts shown below reflect funds dedicated to a program that address these integral components to student learning and campus environment, as well as workforce-related strategies that are conducted by the Texas Higher Education Coordinating Board (HECB) or an institute of higher education.

Other Riders of Note - Youth

- Article II, DFPS Rider 44: Directs DFPS to collect data on the dedicated Mental Health Services Team.
- Article III, TEA Rider 21: Directs \$68 million for Communities in Schools.
- Rider III, TEA Rider 88: Directs \$5 million for Texas Partnership for Out of School Time (TXPOST) to implement mental health programs.
- Article III, Texas Higher Education Coordinating Board Rider 46: Directs \$280 million to the Texas Child Mental Health Care Consortium:
 - \$47 million to Child Psychiatry Access Network (CPAN)
 - \$142 million to Texas Child Access Through Telemedicine (TCHAT)
 - \$43 million to Workforce Expansion
 - \$10.6 million to CAP Fellowships
 - \$27.5 million Coordinated Research
 - \$6 million to Central Operation Support Hub
 - \$1 million to External Evaluation
 - \$2.6 million to Administration
- Article IV, Supreme Court of Texas, Rider 3: Directs funds to operate the Children's Commission.
- Article IV, TJJD, Rider 27: Directs \$28 million for mental health services provided by juvenile probation departments.
- Article IX, Sec. 10.004: Statewide Behavioral Health Strategic Plan and Coordinate Expenditures information, inclusive of new directive for a **Children's Mental Health Strategic Plan** to be developed by the Statewide Behavioral Health Coordinating Council.
- Article IX, Sec. 17.35: Directs \$1.5 million to Texas A&M University System to study mental health services for children and adolescents.

Other Riders of Note - Adults

- Article II, DSHS Rider 34: Directs \$2.4 million to two Regional Advisory Council pilot programs to coordinate and track regional private, community, state-operated, and state-contracted inpatient mental health bed capacity with LMHA/LBHAs and HHSC.
- Article II, HHSC Riders 41-56 are related to Behavioral Health
 - Rider 51: Directs \$6 million in FY 24 for HHSC to partner with an acute care hospital in Jefferson County for a CoCM pilot
 - Rider 54: Directs \$23.8 million for workforce capacity at LMHA/LBHAs/LIDDAs.
 - Rider 83: Directs \$28 million for crisis and respite IDD services.
 - Rider 55: Directs \$1.6 million to increase rate for inpatient beds at UTHSC - Tyler
 - Rider 56: Directs \$7.4 million to fund psychiatric consultations for rural hospitals
- Article IV, Supreme Court of Texas, Rider 3: Directs funds to operate the Children's Commission and the Judicial Commission on Mental Health.
- Article IV, Supreme Court of Texas, Rider 6: Directs \$500,000 for training program for judges and their staff.
- Article IV, Court of Appeals, Rider 2: Allows funds to be used to educate judges, prosecutors, and DAs on alternatives to inpatient mental health treatment in forensic cases (i.e. outpatient competency restoration).
- Article IV, OCA, Texas Judicial Council, Rider 5: Directs \$5 million for educating public defender offices and allows funds to expand capacity or create mental health defender programs.
- Article V, TCOOMMI, Rider 35: Directs the agency to create procedures for continuity of care, and as part of the Continuity of Care Plan, directs \$1 million to provide post-release medication to individuals completing competency restoration.
- Article V, Commission on Law Enforcement, Rider 9: Directs \$2.4 million to establish a mental health peer network for law enforcement officers.

Supplemental Appropriations – SB 30 (Huffman/Bonnen)

- Over \$2 billion to HHSC, including state hospital capacity, construction, and renovation.* Also including:
 - \$100 million for one-time county-based community mental health grant programs
 - Requires local match dependent on population size
 - Must be used for constructing jail diversion facilities, step-down facilities, permanent supportive housing, crisis stabilization units, and crisis respite units, not including office space
 - \$15.8 million for one-time children’s hospitals construction grant programs
 - Requires local match dependent on population size
 - Must be used to construct inpatient mental health beds for children
- \$1.1 billion to TEA for school safety initiative grants

Mental Health and Substance Use Legislation

Hogg Foundation Policy Priorities



Community
Mental Health
& Well-being



Equity



Access

Community Mental Health & Well-being

Safe & Supportive Schools

| PASSED | SUMMARY |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>HB 3 (Burrows/Nichols) Relating to the development and implementation of, and funding for, public school safety and security requirements.</p> | <p>Comprehensive school safety bill, among its provisions include updates to facilities standards; mental health trainings of all employees that regularly interact with students; a requirement to have an armed person on each campus; the establishment of the Office of School Safety and Security at TEA; and updates the funding formula for the School Safety Allotment to be \$10/student + \$15,000/campus annually (~\$330M/biennium).</p> |
| <p>HB 763 (Middleton/Hefner) Relating to allowing public schools to employ or accept as volunteer chaplains.</p> | <p>Allows school districts and charter schools to employ or accept volunteering from a chaplain to provide support, services, and programs for students as assigned by the board of trustees of the district, and ensures they pass background checks and are not a registered sex offender. Allows school's school safety allotment funds to be used to employ a chaplain. Requires each board of trustees to take a vote to employ or allow volunteering from a chaplain within 6 months of bill passage.</p> |
| <p>SB 798 (Middleton/Buckley) Relating to the certification requirements for a public school counselor.</p> | <p>Removes the requirement of experience as a classroom teacher for school counselor certification.</p> |
| <p>SB 629 (Menéndez/Talarico) Relating to the use of opioid antagonists on public and private school campuses and at or in transit to or from off-campus school events.</p> | <p>Requires each public school district to adopt a policy regarding the maintenance, administration, and disposal of opioid antagonists for schools serving students in grades 6 through 12. The bill gives private schools, charter schools, and schools not serving students in grades 6 through 12 the option to adopt such a policy.</p> |

Safe & Supportive Schools

| FAILED | SUMMARY |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| HB 98 (Moody/Menéndez) Relating to the provision of on-campus mental health services by a school district and reimbursement under Medicaid for certain services provided to eligible students. | Would have allowed school districts to bill Medicaid for providing behavioral health services to all students enrolled in Medicaid under the SHARS program. |
| HB 316 (Bernal) Relating to social work services in public schools. | Would have defined school social work services within the Texas Education Code. |
| HB 1537 (Howard) Relating to the submission by law enforcement agencies to certain public school personnel of a handle with care notice concerning a traumatic event experienced by a public school student. | Would have authorized school districts to partner with law enforcement agencies to create “Handle with Care” programs, allowing law enforcement to provide confidential notices to schools if students were involved in a traumatic interaction outside of school hours. Would have required TEA to develop resources and training materials for school districts to create this process. |
| HB 2451 (Allison/West) Relating to the permissible uses of the school safety allotment and the creation of a mental health allotment under the Foundation School Program. | Would have created a “school mental health allotment” for schools to receive funding to implement mental health and other positive school climate policies, programs, and services. |
| SB 595/HB 1149 (Kolkhorst/Swanson) Relating to requiring parent consent for psychological or psychiatric examinations, testing, or treatment conducted by a school district. | Would have expanded the definition of psychological and psychiatric tests, exams, and treatments to include more broad activities and would require written parental consent for any psychological or psychiatric examinations, testing, or treatment within a school district during each occurrence. |

Suicide Prevention

| PASSED | SUMMARY |
|---------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| HB 671 (Gonzalez, Mary/Eckhardt) Relating to a veterans suicide prevention campaign. | Requires the Texas Veterans Commission to conduct a suicide prevention campaign to provide veterans with information regarding suicide prevention, and to create a dedicated website to provide information about safely storing firearms. |
| SB 63 (Zaffirini/Raymond) Relating to an instruction guide for family members and caregivers of veterans who have mental health disorders. | Requires Health and Human Services Commission and Texas Veterans Commission to create an instruction guide for family members and caregivers of veterans with mental health conditions, which must be available on both agency's websites. |

Suicide Prevention

| FAILED | SUMMARY |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>HB 906/SB 633 (Moody/Menéndez) Relating to the provision of information regarding mental health and suicide prevention services to entering students at public institutions of higher education.</p> | <p>Would have required institutions of higher education to provide information on mental health services and suicide prevention to all enrolling students.</p> |
| <p>HB 2898 (Garcia) Relating to the definition of preventable death of a child.</p> | <p>Would have classified suicide as a preventable death for purposes relating to the review and investigation of child fatalities.</p> |
| <p>HB 3631 (Lalani) Relating to a requirement that public institutions of higher education provide certain information regarding mental health services to entering students.</p> | <p>Would have required institutions of higher education to provide information on campus mental health resources and suicide prevention resources to all entering students, including part-time students.</p> <p><i>*Amended onto SB 532 which did pass.</i></p> |
| <p>HB 4065/SB 2423 (Rose/Johnson) Relating to required reporting by the Department of Family and Protective Services regarding youth in the managing conservatorship of the department who attempt suicide.</p> | <p>Would have required DFPS to report on suicide attempts in foster youth.</p> |

Substance Use

| PASSED | SUMMARY |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| HB 6 (Goldman/Huffman) Relating to the criminal penalties for certain controlled substance offenses. | Increases the criminal penalties for the manufacturing or delivery of fentanyl, expands the conduct constituting murder, and creates two criminal offenses involving the manufacture or delivery of certain opioids. |
| HB 299 (Murr/Johnson) Relating to creating a voluntary accreditation for recovery housing. | Defines “recovery housing” in statute and establishes a voluntary accreditation process that is consistent with industry standards and best practices. |
| HB 3908 (Wilson/Creighton) Relating to fentanyl prevention and drug poisoning awareness education for public school students in grades 6 through 12. | Requires each school district to annually provide research-based instruction related to fentanyl abuse prevention and drug poisoning awareness to students in grades 6 through 12, and requires a week determined by the governor to be designated as Fentanyl Poisoning Awareness Week. |
| SB 629 (Menéndez/Talarico) Relating to the use of opioid antagonists on public and private school campuses and at or in transit to or from off-campus school events. | Requires each public school district to adopt a policy regarding the maintenance, administration, and disposal of opioid antagonists for schools serving students in grades 6 through 12. The bill gives private schools, charter schools, and schools not serving students in grades 6 through 12 the option to adopt such a policy. |
| SB 897 (West/Rose) Relating to the recipients of opioid antagonists under the opioid antagonist program. | Allows colleges to be included among the entities allowed to be provided opioid antagonists by HHSC opioid antagonist program. |

Substance Use

| FAILED | SUMMARY |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>HB 248 (Murr/Kolkhorst) Relating to solicitation of patients and other prohibited marketing practices and the establishment of the task force on patient solicitation.</p> | <p>Would have established a task force on patient solicitation and proposed changes relating to the solicitation of patients and certain marketing practices.</p> |
| <p>HB 85/ HB 362/ HB 685/ HB 867/ HB 1018/ HB 2042/ SB 207/ SB 495 Relating to the use, possession, delivery, or manufacture of testing equipment that identifies the presence of fentanyl, alpha-methylfentanyl, or any other derivative of fentanyl.</p> | <p>Would have removed fentanyl testing strips from the definition of “drug paraphernalia” regarding the offense of the offense of possessing or delivering drug paraphernalia.</p> |
| <p>HB 3338 (Cole) Relating to measures to prevent and respond to opioid-related drug overdoses, including policies and training regarding the use of opioid antagonists, at student residences on campuses of public institutions of higher education.</p> | <p>Would have required each college to adopt and implement a policy providing for the availability of opioid antagonists at each residence hall, including allowing resident advisors authorized and trained to administer them.</p> |
| <p>HB 4173 (Klick) Relating to state overdose prevention and control efforts and the defense to prosecution for certain offenses involving possession of small amounts of controlled substances, marihuana, dangerous drugs.</p> | <p>Omnibus overdose prevention bill that would have, among its provisions, collected and reported on overdoses, created education campaigns, created a grant program, increased access to opioid antagonists, and improved the existing overdose bystander law.</p> |

Housing

| PASSED | SUMMARY |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| HB 1193 (Turner, C/Miles) Relating to prohibiting housing discrimination by a property owners' association against a residential tenant based on the tenant's method of payment. | Prohibits a property owners' association from including or enforcing a provision that prohibits or restricts a property owner from renting a dwelling to a person based on the person's method of payment, such as rental vouchers, rental assistance, or rental subsidies from a nongovernmental organization. |

Housing

| FAILED | SUMMARY |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>HB 428 (Lopez) Relating to the creation of a task force to evaluate the housing needs of senior citizens who are lesbian, gay, bisexual, transgender, queer, or questioning.</p> | <p>Would have created a task force to evaluate the housing needs of senior citizens in the LGBTQ+ community.</p> |
| <p>HB 834 (Campos) Relating to the establishment by the Texas Department of Housing and Community Affairs of a pilot program to solicit donations made by text message for the benefit of local programs.</p> | <p>Would have created a “text-to-donate” pilot program for homelessness services programs.</p> |
| <p>HB 965 (Allen) Relating to post-release housing for inmates released on parole or to mandatory supervision.</p> | <p>Would have expanded housing options for individuals approved for parole and establishes a task force.</p> |
| <p>HB 2181 (Rose/West) Relating to the administration by the Texas Department of Housing and Community Affairs of a homeless housing and services program for youth and young adults.</p> | <p>Would have authorized the Texas Department of Housing and Community Affairs to administer a youth and young adult homeless housing and services grant program.</p> |
| <p>HB 1917 (Walle) Relating to the establishment and implementation by the Texas Department of Housing and Community Affairs of the Texas Tenant Readiness and Landlord Incentive Pilot Program.</p> | <p>Would have created the Texas Tenant Readiness and Landlord Incentive Pilot Program to serve Texans with significant housing needs, including those with disabilities which includes serious and persistent mental illness.</p> |

Peer Support

| FAILED | SUMMARY |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| HB 1397 (Moody) Relating to the provision of community recovery organization peer-to-peer services under Medicaid. | Would have defined “community recovery organizations” and allowed Medicaid reimbursement provided by peers in these organizations. |
| HB 4702/ SB 2191 (Campos/Zaffirini) Relating to peer support specialists for individuals with an intellectual or developmental disability and peer services for those individuals under Medicaid living outside of state supported living centers. | Would have directed HHSC to define and develop IDD peer specialist certification and develop a stakeholder work group for the adoption of these rules. |
| HB 3724 (Thierry) Relating to a maternal mental health peer support pilot program for perinatal mood and anxiety disorder. | Would have directed HHSC to develop a maternal mental health peer support program in five Texas counties for women with a mood or anxiety disorder that occurs during pregnancy or within 12 months postpartum, collect data, and issue an annual report. |

Equity

Racial Justice

| PASSED | SUMMARY |
|-----------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------|
| HB 567 (Bowers/Miles) Relating to discrimination on the basis of hair texture or protective hairstyle associated with race. | Also known as the CROWN Act, provides protection against discrimination for race-based hairstyles. |
| SB 17 (Creighton/Kuempel) Relating to public higher education reform. | Prohibits universities from establishing and maintaining DEI offices, hiring practices, policies, trainings, and activities. |
| SB 18 (Creighton/Kuempel) Relating to the tenure and employment of faculty members at certain public institutions of higher education. | Among its provisions, restricts how universities grant tenure. |

Racial Justice

| FAILED | SUMMARY |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>SB 16 (Hughes) Relating to the purpose of public institutions of higher education and a prohibition on compelling students enrolled at those institutions to adopt certain beliefs.</p> | <p>Would have prohibited faculty from compelling or attempting to compel students to adopt a belief that any race, sex, or ethnicity or social, political, or religious belief is inherently superior to any other race, sex, ethnicity, or belief.</p> |
| <p>HB 51 (Johnson/Jarvis) Relating to abolishing Confederate Heroes Day.</p> | <p>Would have removed “Confederate Heroes Day” as a state holiday.</p> |
| <p>HB 472 (Thierry) Relating to the creation of the office of health equity within the Health and Human Services Commission (HHSC).</p> | <p>Would have created the Office of Health Equity within HHSC.</p> |
| <p>HB 1162 (Thierry) Relating to continuing education in cultural competence and implicit bias for certain physicians.</p> | <p>Would have required cultural competence and implicit bias among the hours of continuing medical education trainings for general practitioners, pediatricians, and OBGYNs.</p> |
| <p>HB 1664 (Thierry) Relating to a study on maternal mortality and morbidity among Black women in this state.</p> | <p>Would have required DSHS and the Texas Maternal Mortality and Morbidity Review Committee to evaluate maternal mortality and morbidity among Black women in Texas.</p> |

The Hogg Foundation for
Mental Health Declaration of
Racism as a Mental Health
Crisis

LGBTQIA+ Rights

| PASSED | SUMMARY |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>HB 900 (Patterson/Paxton) Relating to the regulation of books sold to or included in public school libraries.</p> | <p>Restricts access to books in school libraries by prohibiting acquisition, limiting access, and defining "obscenity" in a broad manner. Requires publishers to determine what books constitute "sexually explicit" and "sexually relevant."</p> |
| <p>HB 2127 (Burrows/Creighton) Relating to state preemption of certain municipal and county regulation.</p> | <p>Preempts all local regulations that affect provisions of the state's Agriculture, Finance, Insurance, Labor, Natural Resources, or Occupations codes.</p> |
| <p>SB 14 (Campbell/Oliverson) Relating to prohibitions on the provision to certain children of procedures and treatments for gender transitioning, gender reassignment, or gender dysphoria.</p> | <p>Prohibits physicians from providing gender-affirming care for transgender youth. Also bans insurance companies from covering these treatments. Prohibits public funds from going towards gender-affirming care.</p> |
| <p>SB 15 (Middleton/Swanson) Relating to requiring a student of a public institution of higher education who competes in intercollegiate athletic competitions to do so based on the student's biological sex.</p> | <p>Requires collegiate athletes to participate on the sports team according to the biological sex on their unamended birth certificate; extends existing related K-12 rules to include "participation" in addition to "competition."</p> |
| <p>SB 12 (Hughes/Shahen) Relating to restricting certain sexually oriented performances on public property, on the premises of a commercial enterprise, or in the presence of a child.</p> | <p>Defines "sexual conduct" and "sexually oriented performance" and creates a criminal offense for allowing anyone under 18 to view the performance.</p> |

LGBTQIA+ Rights

| FAILED | SUMMARY |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| HB 496 (Meza) Relating to health benefit plan coverage for conversion therapy. | Would have prohibited health plan coverage from reimbursing for "conversion therapy." |
| HB 1679/ HB 5026/ SB 439 Relating to unprofessional conduct by mental health providers who attempt to change the sexual orientation of a child. | Would have prohibited mental health professionals from providing conduct known as "conversion therapy." |
| HB 1155 (Patterson) /HB 1541 (Toth) /SB 393 (Hall) Relating to parental rights in education and prohibiting instruction regarding sexual orientation or gender identity for public school students. | Would have banned K-12 instruction, guidance and programming regarding sexual orientation and gender identity, in addition to other education-related administrative changes. |

Rural Communities

| PASSED | SUMMARY |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>HB 9 (Ashby/Huffman) Relating to the development and funding of broadband and telecommunications services.</p> | <p>Establishes the broadband infrastructure fund as a special fund in the state treasury outside the general revenue fund to be administered by the comptroller of public accounts for expanding and ensuring access to reliable, high-speed broadband and telecommunications connectivity.</p> |
| <p>HB 617 (Darby/Alvarado) Relating to a pilot project to provide emergency telemedicine medical services and telehealth services in rural areas</p> | <p>Re-establishes the next generation 9-1-1 telemedicine medical services pilot project, which expired in January 2021, as the 9-1-1 telemedicine medical services and telehealth services pilot project in rural areas.</p> |
| <p>HB 2209 (Lozano/Blanco) Relating to establishing the Rural Pathway Excellence Partnership (R-PEP) program and creating an allotment and outcomes bonus under the Foundation School Program to support the program.</p> | <p>For school districts with less than 1,600 students, incentivizes and supports multi-district, cross-sector, rural partnerships for college and career pathways. Allows rural districts to partner with colleges and businesses to access financial incentives.</p> |
| <p>SB 22 (Creighton/Guillen) Relating to the establishment of grant programs to provide financial assistance to qualified sheriff's departments, district attorney's offices, and county attorney's offices in rural counties.</p> | <p>Requires the Texas Comptroller to establish and administer a rural sheriff's office salary assistance grant program and a rural prosecutor's office salary assistance grant program for counties with a population of 300,000 or less.</p> |

Rural Communities

| FAILED | SUMMARY |
|------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| HB 3723 (Gerdes) Relating to the establishment of the Rural Workforce Training Grant Program. | Would have required the Texas Workforce Commission to establish and administer the rural workforce training grant program to award grants to public, private, or nonprofit entities to provide workforce training in counties with populations less than 200,000 |
| HB 1340 (Frank) Relating to the licensing of certain military veterans as health care providers to practice in underserved areas. | Would have allowed the Texas Medical Board (TMB) and the Texas Board of Nursing to issue Texas licenses to eligible military veteran healthcare providers if they choose to practice in a Healthcare Professional Shortage Area (HPSA). |

Mental Health & Intellectual and Developmental Disabilities (IDD)

| PASSED | SUMMARY |
|---------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| HB 729 (Rose/West) Relating to the statewide intellectual and developmental disability coordinating council. | Establishes a statewide intellectual and developmental disability (IDD) coordinating council, which will develop a strategic plan to address the needs and gaps in service of Texans with IDD. *Vetoed by the Governor on June 18, 2023. |

Comprehensive Community Support for System-Involved Youth

| PASSED | SUMMARY |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>HB 1525 (Sparks/Johnson) Relating to certain proceedings in juvenile court for children with mental illness and intellectual disabilities.</p> | <p>Among its provisions, revises Chapter 55 of the Family Code with respect to juvenile court proceedings for children with mental illness and intellectual disabilities.</p> |
| <p>HB 1819 (Cook/Hughes) Relating to the repeal of the authority of political subdivisions to adopt or enforce juvenile curfews.</p> | <p>Prohibits a political subdivision from adopting or enforcing a curfew for persons younger than 18.</p> |
| <p>SB 24(Kolkhorst/Frank) Relating to the powers and duties of the Health and Human Services Commission and the transfer to the commission of certain powers and duties from the Department of Family and Protective Services</p> | <p>Transfers prevention and early intervention services currently provided by DFPS to HHSC, consolidates certain support programs within HHSC under a new family support services program, and provides for the establishment of the Thriving Texas Families Program as the continuation of the current alternatives to abortion (A2A) program.</p> |

Comprehensive Community Support for System-Involved Youth

| FAILED | SUMMARY |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| HB 506 (Wu) Relating to requirements for a juvenile's appearance in a judicial proceeding. | Would have restricted the use of restraints in juvenile court proceedings and by requiring the court to permit a child to wear clothing other than a uniform provided by a detention or correctional facility. |
| HB 4356 (Talarico) Relating to the dissolution of the Texas Juvenile Justice Department and the creation of the Office of Youth Safety and Rehabilitation. | Among its provisions, would have established the Office of Youth Safety and Rehabilitation under HHSC and would have been tasked with developing and implementing a plan to complete a staggered closure of TJJD facilities by September 2030. |
| HB 1898 (Jetton/Kolkhorst) Relating to a grant program to fund the provision by children's hospitals of mental and behavioral health services to children in this state. | Would have established a grant program at HHSC to fund mental and behavioral health expansion at certain children's hospitals. |
| HB 2822 (Garcia) Relating to a study on the housing needs of youth transitioning out of foster care or the juvenile justice system. | Would have required the Texas Interagency Council for the Homeless to conduct a study to examine the housing needs of youth transitioning from foster care or the juvenile justice system to independent living. |
| HB 4091 (Johnson/Kolkhorst) Relating to the mental health needs of a minor in the managing conservatorship of the Department of Family and Protective Services. | Would have expanded the circumstances under which DFPS would be authorized to request the admission of a minor in DFPS managing conservatorship to an inpatient mental health facility. |

Access

Workforce

| PASSED | SUMMARY |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>HB 400 (Klick/Kolkhorst) Relating to innovation grant programs to support residency training programs in psychiatric specialty fields and recruitment, training, and retention programs in behavioral health fields.</p> | <p>Creates a psychiatric specialty innovation grant program to award incentive payments to increase the number of physicians who specialize in adult or pediatric psychiatric care. Establishes a behavioral health innovation grant program to award incentive payments to institutions of higher education that administer innovative recruitment, training, and retention programs designed to increase the number of mental health professionals or professionals in related fields.</p> |
| <p>HB 1211 (Guillen/Zaffirini) Relating to repayment of certain mental health professional education loans.</p> | <p>Adds licensed specialists in school psychology to the list of eligible professionals for the Loan Repayment Program for Mental Health Professionals.</p> |
| <p>HB 2100 (Price/Schwertner) Relating to eligibility requirements for student loan repayment assistance for certain mental health professionals.</p> | <p>Extends eligibility criteria for the Loan Repayment Program for Mental Health Professionals to any eligible professional working within a LMHA/LBHA or State Hospital.</p> |
| <p>SB 532 (West/Kuempel) Relating to providing mental health services information to certain higher education students and to the repayment of certain higher education loans.</p> | <p>Reduces the service requirement for the Loan Repayment Program for Mental Health Professionals from 5 years to 3 years and extends eligibility criteria for the Loan Repayment Program for Mental Health Professionals to any eligible professional working within a LMHA/LBHA or State Hospital.</p> <p><i>*Amended to include language from HB 3631 (Lalani)</i></p> |

Workforce

| FAILED | SUMMARY |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| HB 1167/SB 47 (Romero/Zaffirini) Relating to the licensing of marriage and family therapists, marriage and family therapist associates, professional counselors, professional counselor associates, and social workers, including certain out-of-state applicants. | Would have aligned reciprocity rules for out-of-state licensed professional counselors (LPCs) licensed social workers, and licensed marriage and family therapists (LMFTs). |
| SB 1282/HB 4154 (Springer/Frank) Relating to the establishment of the Texas Mental Health Care Enterprise Fund and the granting of license reciprocity to certain mental health professionals. | Would have established the Texas Mental Health Care Enterprise Fund to provide annual bonuses to qualifying healthcare professionals in public mental healthcare facilities; would have established license reciprocity for out-of-state mental health professionals. |

Maternal & Postpartum Care

| PASSED | SUMMARY |
|----------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------|
| HB 12 (Rose/Kolkhorst) Relating to the duration of services provided under Medicaid to women following a pregnancy. | Extends Medicaid for Pregnant Women coverage from 60 days to 12 months postpartum for eligible people. |

Maternal & Postpartum Care

| FAILED | SUMMARY |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| HB 465 (Thierry) Relating to a pilot program to provide Medicaid coverage for doula services. | Would have aligned reciprocity rules for out-of-state licensed professional counselors (LPCs) licensed social workers, and licensed marriage and family therapists (LMFTs). |
| HB 2237/SB 1384 (Thompson, S/Miles) Relating to the establishment of the child first grant program. | Would have created the child first grant program in Texas, which allows DFPS to disperse grants to organizations that provide home-based, collaborative mental health services to children and families. |
| HB 2873 (Howard/Blanco) Relating to a strategic plan for improving maternal health, including the consolidation and repeal of certain planning and reporting requirements. | Would have consolidated recurring HHSC maternal health reports required by the legislature into one biennial strategic plan |

Medicaid Reimbursement Rates

| PASSED | SUMMARY |
|---------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| HB 113 (Ortega/Blanco) Relating to the use of community health workers in Medicaid managed care. | Allows Medicaid MCOs providing health care services under the STAR Medicaid managed care program to categorize services provided by a community health worker as a quality improvement cost, instead of as an administrative expense. |

Medicaid Reimbursement Rates

| FAILED | SUMMARY |
|----------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| HB 1879 (Darby/Sparks) Relating to the provision of counseling services by certain providers under Medicaid and reimbursement for those services. | Would have allowed Licensed Marriage and Family Therapist (LMFT)-Associates, Licensed Professional Counselor (LPC)-Associates, and Licensed Master Social Workers (LMSW) under supervision for their clinical license to bill for psychotherapy within Medicaid. |
| HB 2404/SB 2278 (Johnson, A/Blanco) Relating to Medicaid coverage and reimbursement for functional family therapy services. | Would have allowed for billing of functional family therapy services within Medicaid. |
| HB 2638/SB 2279 (Johnson, A/Blanco) Relating to Medicaid coverage and reimbursement for multisystemic therapy services. | Would have allowed for billing of multisystemic therapy services within Medicaid. |

Mental Health and Substance Use Parity

| FAILED | SUMMARY |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| HB 3460 (Price) Relating to coverage for mental health conditions and substance use disorders under certain governmental health benefit plans. | Would have required insurance plans for public servants to comply with state-level parity laws for coverage of serious mental illness (SMI). |
| HB 5121 (Turner) Relating to health benefit plan coverage of treatment for chemical dependency. | Would have made administrative changes to allow for parity with substance use coverage in private health plans. |
| HB 5230 (Bucy) Relating to health benefit plan coverage of prescription drugs for serious mental illnesses and opioid and substance use disorders. | Would have made administrative changes to coverage for people with serious mental illness and substance use disorder prohibiting certain exclusionary practices. |

Other Legislation of Interest

| PASSED | SUMMARY |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| SB 26 (Kolkhorst/Jetton) Relating to local mental health authority and local behavioral health authority audits and mental and behavioral health reporting, services, and programs. | Among its provisions, creates a matching grant program for children's mental health, admission and transition of care for certain individuals, and performance and financial audits of LMHAs. |

SB 26 (Kolkhorst/Jetton)

- SB 26 establishes an innovation matching grant program to support community-based initiatives that promote identification of mental health issues and improve access to early intervention and treatment for children and families
- These initiatives may:
 - Be evidence-based or otherwise demonstrate positive outcomes including:
 - Improved relationship skills
 - Improved self-esteem
 - Reduced involvement in the juvenile justice system
 - Participation in the relinquishment program
 - Avoidance of emergency room use
- Grants can be given to:
 - Hospitals, mental hospitals, hospital districts, LMHAs, child-care facilities, counties or municipalities, and non-profit organizations
- HHSC shall develop a transition plan from hospitals that provide behavioral health services to nursing facilities for individuals who require long-term, intensive care.

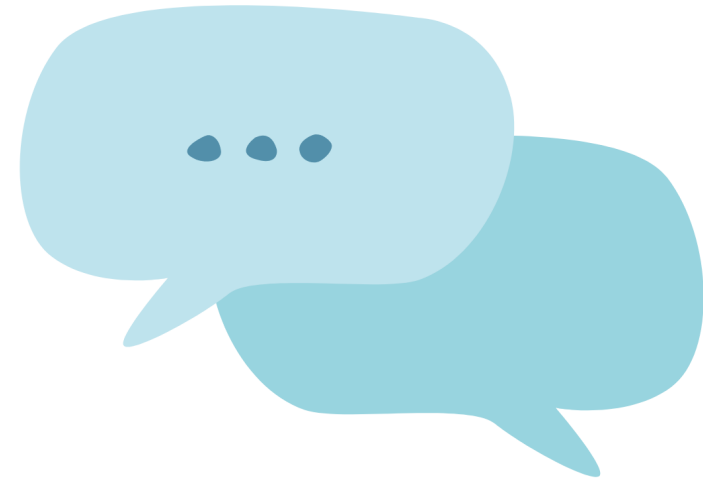
SB 26 (Kolkhorst/Jetton)

- Requires HHSC's office of inspector general to conduct performance audits of each LBHA at least once every 5 years and financial audits by an independent auditor at least once every 3 years. Additional audits will be required based on adverse findings.
- Updates rules for joint discharge planning and requires LMHAs to designate transition support services and sets rules for prioritization of certain patients.
- States that inpatient mental health facility administrators may only approve voluntary admission if there is available space at the time of the request.
- DSHS and HHSC shall establish and maintain a public reporting system of performance and outcome measures relating to mental health and substance use services of LMHAs, LBHAs, and LIDDAs.
- Amendment by Price allows LMHAs, with a waiver from the executive commissioner, to hire LMSWs or LPC Associates to fulfill the duties of a non-physician mental health professional to serve as a mental health and substance use resource for school districts located in the region served by a regional education service center and in which the LMHA provides services.

Other Legislation of Interest

| FAILED | SUMMARY |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| HB 15 (Thompson, S) Relating to the creation of the Mental Health and Brain Research Institute of Texas. | Would have created the Mental Health and Brain Research Institute of Texas. |
| HB 340 (Thompson, S) Relating to the requirement and study of insurance coverage for serious emotional disturbance of a child. | Would have required insurance coverage for serious emotional disturbance of a child and providing for a one-time study on the extent to which those benefits are accessed. |
| HB 1578 (Allison/Johnson) Relating to a health literacy plan developed by the statewide health coordinating council and the inclusion of health literacy in the state health plan. | Would have required a study on health literacy with one focus on strategies to expand the use of plain language instructions for patients. |

Questions?





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