

HOUSE BILL No. 2444

By Committee on Appropriations

2-23

Proposed Amendment to HB 2444
House Committee on K-12 Education Budget
Prepared by the Office of Revisor of Statutes
March 13, 2023

1 AN ACT concerning school districts; relating to the state department of
2 education and the state's network of community mental health centers;
3 establishing the mental health intervention team program in state
4 statute; providing incentives for coordination between school districts
5 and community mental health centers; creating the mental health
6 intervention team program fund.
7

8 *Be it enacted by the Legislature of the State of Kansas:*

9 Section 1. (a) Sections 1 through 5, and amendments thereto, shall be
10 known and may be cited as the mental health intervention team program
11 act.

12 (b) As used in the mental health intervention team program act:

13 (1) "Community mental health center" means a center organized
14 pursuant to article 40 of chapter 19 of the Kansas Statutes Annotated, and
15 amendments thereto, or a mental health clinic organized pursuant to article
16 2 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto.

17 (2) "Department" means the state department of education.

18 Sec. 2. (a) There is hereby established the mental health intervention
19 team program. Such program shall be a continuation of the mental health
20 intervention team pilot program first established pursuant to section 1 of
21 chapter 57 of the 2018 Session Laws of Kansas and section 3 of chapter 70
22 of the 2018 Session Laws of Kansas and continued and expanded through
23 subsequent appropriation acts of the legislature.

24 (b) The purposes of the mental health intervention team program are
25 to:

26 (1) Provide greater access to behavioral health services for students
27 enrolled in kindergarten or any of the grades one through 12 and establish
28 a coherent structure between school districts and community mental health
29 centers to optimize scarce behavioral health resources and workforce;

30 (2) identify students, communicate with families and link students
31 and their families to the statewide behavioral health systems and resources
32 within the network of community mental health centers;

33 (3) alleviate the shortage of staff with specialized degrees or training
34 such as school counselors, psychologists and social workers and reduce the
35 competition for such staff between school districts and other private and
36 governmental service providers to provide broader-based and collaborative

1 services to students, especially in rural districts that do not have enough
2 students to justify a full-time staff position;

3 (4) provide and coordinate mental health services to students
4 throughout the calendar year, not only during school hours over nine
5 months of the school year; and

6 (5) reduce barriers that families experience to access mental health
7 services and maintain consistency for a child to attend recurring sessions
8 and coordination between the child's classroom schedule and the provision
9 of such services.

10 (c) The program shall focus on the following students:

11 (1) Any student who has been adjudicated as a child in need of care
12 and is in the custody of the secretary for children and families or has been
13 referred for a families first program or family preservation program; and

14 (2) any other student who is in need of mental health support
15 services.

16 Sec. 3. (a) The state department of education shall oversee and
17 implement the mental health intervention team program in accordance
18 with the requirements of the mental health intervention team program act
19 and the policies and procedures established by the department pursuant to
20 such act.

21 (b) In each school year, the board of education of a school district
22 may apply to the department to establish or maintain a mental health
23 intervention team program within such school district. The application
24 shall be in such form and manner as the department requires and submitted
25 at a time determined and specified by the department. Each application
26 submitted by a school district shall specify the community mental health
27 center that the school intends to coordinate with to provide school-based
28 services to students who need assistance during the applicable school year.

29 (c) If a school district is approved to establish or maintain a mental
30 health intervention team program, the school district shall enter into a
31 memorandum of understanding with a partnering community mental
32 health center. If the school district chooses to partner with more than one
33 community mental health center, the school district shall enter into a
34 separate memorandum of understanding with each such community mental
35 health center. The department may establish requirements for a
36 memorandum of understanding, including contractual provisions that are
37 required to be included in each memorandum of understanding and that are
38 optional and subject to agreement between the school district and the
39 community mental health center. Each memorandum of understanding
40 shall be submitted to the department for final approval.

41 (d) (1) Subject to appropriations therefor, a school district that has
42 been approved by the department to establish or maintain a mental health
43 intervention team program shall be eligible to receive a mental health

1 intervention team program grant and a community mental health center
2 pass-through grant.

3 (A) Except as provided in subsection (e), the amount of a school
4 district's mental health intervention team program grant shall be
5 determined in each school year by calculating the total amount of the
6 salary and fringe benefits paid by the school district to each school liaison,
7 not to exceed \$50,000 for any such school liaison.

8 (B) The amount of a school district's community mental health center
9 pass-through grant shall be an amount equal to 33% of the amount of the
10 school district's mental health intervention team grant. Moneys provided to
11 a school district for the community mental health center pass-through
12 grant shall be paid to any community mental health center that partners
13 with the school district.

14 (2) If the amount of appropriations are insufficient to pay in full the
15 amount of all grants school districts are entitled to receive for the school
16 year, the department shall prorate the amount appropriated among all
17 districts. The department shall be responsible for the allocation and
18 distribution of grants in accordance with appropriation acts. The
19 department may make grant payments in installments and may provide for
20 payments in advance or by way of reimbursement and may make any
21 necessary adjustments for any overpayment to a school district. The
22 department shall not award any grant to a school district unless such
23 district has entered into a memorandum of understanding with a partnering
24 community mental health center in accordance with subsection (c).

25 (e) The department may waive the requirement that a school district
26 employ a school liaison and may instead authorize a community mental
27 health center that partners with the school district to employ a school
28 liaison. Such waiver shall only be granted by the department in limited
29 circumstances. A school district that is granted a waiver pursuant to this
30 section shall continue to be eligible to receive the mental health
31 intervention team program grant and the community mental health center
32 pass-through grant authorized pursuant to this section. The amount of the
33 mental health intervention team program grant shall be determined in the
34 same manner as provided under subsection (d)(1)(A) as though the school
35 liaison was employed by such school district. Upon receipt of any moneys
36 awarded pursuant to the mental health intervention team program grant to
37 any such school district, the school district shall direct payment of such
38 amount to the community mental health center that employs the school
39 liaison.

40 New Sec. 4. (a) The staff required for the establishment and
41 maintenance of a mental health intervention team program shall include a
42 combination of one or more behavioral health liaisons employed by the
43 school district and one or more case managers and clinical therapists

(f) On or before the first day of the legislative session of 2024, and on or before the first day of each legislative session thereafter, the department shall prepare and submit a report on the mental health intervention team program for the preceding school year to the house of representatives standing committees on appropriations, social services budget and K-12 education budget and the senate standing committees on ways and means, public health and welfare and education. Such report shall provide a summary of the program, including, but not limited to, the school districts that applied to participate or continued participating under the program, the participating community mental health centers, the grant amount each such school district received and the payments made by school districts from the mental health intervention team program fund of each school district.

1 employed by the partnering community mental health center. All staff
2 working together under a school district's program shall be known as the
3 behavioral health intervention team of the school district.

4 (b) The school district and the community mental health center shall
5 cooperate and work together to identify needs specific to the students in
6 the school district and the families of such students and shall develop an
7 action plan to implement a school-based program that is tailored to such
8 needs.

9 (c) A school district that participates in the program shall employ one
10 or more school liaisons who will help students in need and coordinate
11 services between the school district, the student, the student's family and
12 the community mental health center. A school liaison shall have a
13 bachelor's degree in any field of study. A school liaison's roles and
14 responsibilities include, but are not limited to:

15 (1) Identifying appropriate student referrals for the team to engage
16 with;

17 (2) act as a liaison between the school district and the community
18 mental health center and be the primary point of contact for
19 communications between the school district and the community mental
20 health center;

21 (3) assist with community mental health center staff understanding of
22 the school district's system and procedures including the school calendar,
23 professional development, drills and crisis plan protocols;

24 (4) triage prospective student referrals and help decide how to
25 prioritize interventions;

26 (5) help the community mental health center and other school
27 personnel understand the roles and responsibilities of the behavioral health
28 intervention team;

29 (6) facilitate communications and connections between families of
30 identified students and the community mental health center's staff;

31 (7) coordinate a student's treatment schedule with building
32 administrators and classroom teachers, to optimize clinical therapist's
33 productivity;

34 (8) troubleshoot problems that arise and work with the community
35 mental health center to resolve such problems;

36 (9) track and compile outcomes to monitor the effectiveness of the
37 program;

38 (10) maintain and update the mental health intervention team
39 database as directed by the department;

40 (11) follow up with child welfare contacts if a student has moved
41 schools to get the child's educational history;

42 (12) be an active part of the school intervention team and relay
43 information back to community mental health center staff, including

1 student observations, intervention feedback from teachers,
2 communications with family and other relevant information;

3 (13) work with school administration to identify and provide
4 confidential space for a community mental health center therapist; and

5 (14) assist in planning continuity of care through summer services.

6 (d) A community mental health center that partners with a school
7 district shall employ one or more master's level clinical therapists who will
8 collaborate with the school district to assist students in need and provide
9 services to such students under the program. A clinical therapist's roles and
10 responsibilities under the program include, but are not limited to:

11 (1) Assist the school liaison with the identification of appropriate
12 student referrals to the program;

13 (2) triage student referrals with the school liaison to prioritize
14 treatment interventions for identified students;

15 (3) work with the school liaison to connect with families or child
16 welfare contacts to obtain consent to commence treatment;

17 (4) conduct a clinical assessment of the identified student and make
18 appropriate treatment recommendations;

19 (5) engage with the student, family or child welfare contacts in
20 clinical interventions as identified on the treatment plan and provide
21 individual and family therapy;

22 (6) administer scales or tests to detect areas of concern with
23 depression, anxiety, self-harm or other areas as identified;

24 (7) make referrals to other treatment modalities as appropriate;

25 (8) communicate educationally appropriate information to the school
26 liaison, such as interventions and strategies for use by classroom and
27 school staff;

28 (9) gather outcome data to monitor the effectiveness of the program;

29 (10) coordinate with the case manager to identify ways to support the
30 student and family;

31 (11) provide therapy services as determined by the students' treatment
32 plan; and

33 (12) maintain the treatment plan and necessary treatment protocols
34 required by the community mental health center.

35 (e) A community mental health center that partners with a school
36 district shall employ one or more case managers who will collaborate with
37 the school district to assist students in need and to coordinate services
38 under the program. A case manager's roles and responsibilities under the
39 program include, but are not limited to:

40 (1) Work with the school liaison and clinical therapist to identify
41 students and triage priorities for treatment;

42 (2) provide outreach to students, families and child welfare contacts
43 to help engage in treatment;

- 1 (3) participate in the treatment planning process;
 - 2 (4) communicate with the school liaison and other school district
 - 3 personnel about student needs, interventions and progress;
 - 4 (5) help maintain communication between all entities, including the
 - 5 family, student, school, clinical therapist, child welfare contacts and the
 - 6 community;
 - 7 (6) maintain the treatment plan and necessary treatment protocols
 - 8 required by the community mental health center;
 - 9 (7) make referrals to appropriate community resources;
 - 10 (8) help reconnect students and families when they are not following
 - 11 through with the treatment process;
 - 12 (9) help families negotiate barriers to treatment; and
 - 13 (10) engage with the student in the classroom, the home or the
 - 14 community to help build skills wherever needed.
- 15 Sec. 5. (a) There is hereby established in each school district a fund
- 16 called the mental health intervention team program fund. All moneys
- 17 received by a school district for the mental health intervention team
- 18 program grant or the community mental health center pass-through grant
- 19 awarded pursuant to section 3, and amendments thereto, shall be credited
- 20 to the the mental health intervention team program fund. Moneys in such
- 21 fund shall be used by a school district to:
- 22 (1) Pay for the expenditures that are attributable to the salary and
 - 23 fringe benefits of any school liaison employed by the school district
 - 24 pursuant to the mental health intervention team program; and
 - 25 (2) provide payment to each partnering community mental health
 - 26 center in an amount equal to the community mental health center pass-
 - 27 through grant received by the school district.
- 28 (b) The school district shall keep separate accounting records for the
- 29 school liaison expenditures and the pass-through grants to community
- 30 mental health centers.
- 31 Sec. 6. This act shall take effect and be in force from and after its
- 32 publication in the statute book.