

## HOUSE BILL No. 2236

By Committee on Appropriations

Requested by Representative Ballard on behalf of the Kansas department for aging and disability services

2-4

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1 AN ACT concerning mental health; relating to the Kansas department for  
2 aging and disability services and mental health intervention team  
3 providers; establishing the mental health intervention team program in  
4 state statute; providing incentives for coordination between school  
5 districts, qualified schools and mental health intervention team  
6 providers.

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

9 Section 1. (a) Sections 1 through 6, 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) "Department" means the Kansas department for aging and  
14 disability services.

15 (2) "Mental health intervention team provider" means a center  
16 organized pursuant to article 40 of chapter 19 of the Kansas Statutes  
17 Annotated, and amendments thereto, a mental health clinic organized  
18 pursuant to article 2 of chapter 65 of the Kansas Statutes Annotated, and  
19 amendments thereto, or a federally qualified health center as defined by  
20 section 1905(1)(2)(B) of the federal social security act. "Mental health  
21 intervention team provider" includes other provider categories as  
22 authorized by the department to serve as a partnering provider under the  
23 mental health intervention team program.

24 (3) "Qualified school" means any nonpublic school that provides  
25 education to elementary or secondary students and is accredited by the  
26 state board of education or a national or regional accrediting agency that is  
27 recognized by the state board of education for the purpose of satisfying the  
28 teaching performance assessment for professional licensure or is working  
29 in good faith toward such accreditation.

30 (4) "School district" means a school district as defined in K.S.A. 72-  
31 5132, and amendments thereto.

32 (5) "Secretary" means the secretary for aging and disability services.

33 Sec. 2. (a) There is hereby established the mental health intervention  
34 team program. Such program shall be a continuation of the mental health

1 intervention team pilot program first established pursuant to section 1 of  
2 chapter 57 of the 2018 Session Laws of Kansas and K.S.A. 72-9943, and  
3 amendments thereto, and continued and expanded through subsequent  
4 appropriation acts of the legislature.

5 (b) The purposes of the mental health intervention team program are  
6 to:

7 (1) Provide greater access to behavioral health services for students  
8 enrolled in kindergarten or any of the grades one through 12 and establish  
9 a coherent structure between school districts and mental health  
10 intervention team providers to optimize scarce behavioral health resources  
11 and workforce;

12 (2) identify students, communicate with families and link students  
13 and their families to the statewide behavioral health systems and resources  
14 within the network of mental health intervention team providers;

15 (3) alleviate the shortage of staff with specialized degrees or training  
16 such as school counselors, psychologists and social workers and reduce the  
17 competition for such staff between school districts and other private and  
18 governmental service providers to provide broader-based and collaborative  
19 services to students, especially in rural districts that do not have enough  
20 students to justify a full-time staff position;

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

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

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

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

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

34 (d) Any mental health intervention team provider providing services  
35 pursuant to this program shall be available to provide support for students  
36 24 hours a day, seven days a week, person-centered treatment planning and  
37 outpatient mental health services.

38 Sec. 3. (a) The Kansas department for aging and disability services  
39 shall oversee and implement the mental health intervention team program  
40 in accordance with the requirements of the mental health intervention team  
41 program act and the policies and procedures established by the department  
42 pursuant to such act. Subject to appropriations therefor, the secretary for  
43 aging and disability services shall appoint a mental health intervention

1 team program manager and any additional staff as necessary to support  
2 such manager.

3 (b) In each school year, the board of education of a school district  
4 may apply to the department to establish or maintain a mental health  
5 intervention team program within such school district. The application  
6 shall be in such form and manner as the department requires and submitted  
7 at a time determined and specified by the department. Each application  
8 submitted by a school district shall specify the mental health intervention  
9 team provider with whom the school intends to coordinate to provide  
10 school-based services to students who need assistance during the  
11 applicable school year.

12 (c) (1) The school district shall provide notice to the mental health  
13 intervention team provider, as soon as such district is able, of their intent to  
14 partner for the following school year.

15 (2) The department shall establish an application review committee  
16 that shall include representatives from mental health intervention team  
17 providers and the department of education:

18 (A) If a school district and mental health intervention team provider  
19 are approved to establish or maintain a mental health intervention team  
20 program, the school district shall enter into a memorandum of  
21 understanding with a partnering mental health center.

22 (B) If the school district chooses to partner with more than one  
23 mental health intervention team provider, the school district shall enter into  
24 a separate memorandum of understanding with each such mental health  
25 intervention team provider.

26 (3) The department may establish requirements for a memorandum of  
27 understanding, including contractual provisions that are required to be  
28 included in each memorandum of understanding and that are optional and  
29 subject to agreement between the school district and the mental health  
30 intervention team provider. Each memorandum of understanding shall be  
31 submitted to the department for final approval.

32 (d) The department may authorize another category of provider other  
33 than a mental health intervention team provider to serve as a partnering  
34 provider under the mental health intervention team program pursuant to  
35 this subsection. Such category of provider shall provide the required  
36 services and otherwise meet the requirements of a partnering mental health  
37 intervention team provider under this subsection. If the department  
38 authorizes another category of provider other than a mental health  
39 intervention team provider, the department shall provide notification of  
40 such decision to the mental health intervention team provider that provides  
41 services in that county.

42 (e) (1) Subject to appropriations therefor, a school district that has  
43 been approved by the department to establish or maintain a mental health

1 intervention team program shall be eligible to receive a mental health  
2 intervention team program grant and a mental health intervention team  
3 provider pass-through grant.

4 (A) Except as provided in subsection (f), the amount of a school  
5 district's mental health intervention team program grant shall be  
6 determined in each school year by calculating the total amount of the  
7 salary and fringe benefits paid by the school district to each school liaison.

8 (B) The amount of a school district's mental health intervention team  
9 provider pass-through grant shall be an amount equal to 35% of the  
10 amount of the school district's mental health intervention team grant.  
11 Moneys provided to a school district for the mental health intervention  
12 team provider pass-through grant shall be paid to any mental health  
13 intervention team provider that partners with the school district.

14 (2) If the amount of appropriations are insufficient to pay the full  
15 amount of all grants that school districts are entitled to receive for the  
16 school year, the department shall prorate the amount appropriated among  
17 all 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 mental health intervention team provider in accordance with subsection  
25 (c).

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

41 (g) Annually, on or before the first day of the regular session of the  
42 legislature commencing in 2026, the department shall prepare and submit a  
43 report on the mental health intervention team program for the preceding

1 school year to the house of representatives standing committees on  
2 appropriations, social services budget and health and human services, or  
3 their successor committees, and the senate standing committees on ways  
4 and means, ways and means subcommittee on human services and public  
5 health and welfare, or their successor committees. The report shall provide  
6 a summary of the program, including, but not limited to, the school  
7 districts that applied to participate or continued participating under the  
8 program, the mental health intervention team providers, the grant amount  
9 that each such school district received and the payments made by school  
10 districts from the mental health intervention team program fund of each  
11 school district.

12 Sec. 4. (a) The staff required for the establishment and maintenance  
13 of a mental health intervention team program shall include a combination  
14 of one or more behavioral health liaisons employed by the school district  
15 and one or more case managers and clinical therapists licensed by the  
16 behavioral sciences regulatory board who are employed by the partnering  
17 mental health intervention team provider. All staff working together under  
18 a school district's program shall be known as the behavioral health  
19 intervention team of the school district.

20 (b) The school district and the mental health intervention team  
21 provider shall cooperate and work together to identify needs specific to the  
22 students in the school district and the families of such students and shall  
23 develop an action plan to implement a school-based program that is  
24 tailored to such needs.

25 (c) A school district that participates in the program shall employ one  
26 or more school liaisons who will help students in need and coordinate  
27 services between the school district, the student, the student's family and  
28 the mental health intervention team provider. A school liaison shall have a  
29 bachelor's degree in any field of study. A school liaison's roles and  
30 responsibilities include, but are not limited to:

31 (1) Identifying appropriate student referrals for the team to engage  
32 with;

33 (2) act as a liaison between the school district and the mental health  
34 intervention team provider and be the primary point of contact for  
35 communications between the school district and the mental health  
36 intervention team provider;

37 (3) assist with mental health intervention team provider staff  
38 understanding of the school district's system and procedures, including the  
39 school calendar, professional development, drills and crisis plan protocols;

40 (4) triage prospective student referrals and help decide how to  
41 prioritize interventions;

42 (5) help the mental health intervention team provider and other school  
43 personnel to understand the roles and responsibilities of the mental health

- 1 intervention team;
- 2 (6) facilitate communications and connections between families of
- 3 identified students and the mental health intervention team provider's staff;
- 4 (7) coordinate a student's treatment schedule with building
- 5 administrators and classroom teachers to optimize clinical therapist's
- 6 productivity;
- 7 (8) troubleshoot problems that arise and work with the mental health
- 8 intervention team provider to resolve such problems;
- 9 (9) track and compile outcomes to monitor the effectiveness of the
- 10 program;
- 11 (10) maintain and update the mental health intervention team
- 12 database as directed by the department and required by this section;
- 13 (11) follow up with child welfare contacts if a student has moved
- 14 schools to get the child's educational history;
- 15 (12) be an active part of the school intervention team and relay
- 16 information back to mental health intervention team provider staff,
- 17 including student observations, intervention feedback from teachers,
- 18 communications with family and other relevant information;
- 19 (13) work with school administration to identify and provide
- 20 confidential space for a mental health intervention team provider therapist;
- 21 (14) assist in planning continuity of care through summer services;
- 22 (15) submit an annual report to the department on how the liaison
- 23 complied with the required roles and responsibilities;
- 24 (16) enter all relevant information into the database within 14
- 25 calendar days following the date that the initial referral was completed for
- 26 a student; and
- 27 (17) primarily perform the roles and responsibilities that are related to
- 28 the school liaison position as described in this section and within the scope
- 29 of employment established by a school district.
- 30 (d) A mental health intervention team provider that partners with a
- 31 school district shall employ one or more therapists licensed by the
- 32 behavioral sciences regulatory board who will collaborate with the school
- 33 district to assist students in need and provide services to such students
- 34 under the program. A therapist's roles and responsibilities under the
- 35 program include, but are not limited to:
- 36 (1) Assist the school liaison with the identification of appropriate
- 37 student referrals to the program;
- 38 (2) triage student referrals with the school liaison to prioritize
- 39 treatment interventions for identified students;
- 40 (3) work with the school liaison to connect with families or child
- 41 welfare contacts to obtain consent to commence treatment;
- 42 (4) conduct a clinical assessment of the identified student and make
- 43 appropriate treatment recommendations;

- 1 (5) engage with the student, family or child welfare contacts in  
2 clinical interventions as identified on the treatment plan and provide  
3 individual and family therapy;
- 4 (6) administer scales or tests to detect areas of concern with  
5 depression, anxiety, self-harm or other areas as identified;
- 6 (7) make referrals to other treatment modalities as appropriate;
- 7 (8) communicate educationally appropriate information to the school  
8 liaison, such as interventions and strategies for use by classroom and  
9 school staff;
- 10 (9) gather outcome data to monitor the effectiveness of the program;
- 11 (10) coordinate with the case manager to identify ways to support the  
12 student and family;
- 13 (11) provide therapy services as determined by the student's treatment  
14 plan; and
- 15 (12) maintain the treatment plan and necessary treatment protocols  
16 required by the mental health intervention team provider.
- 17 (e) A mental health intervention team provider that partners with a  
18 school district shall employ one or more case managers who will  
19 collaborate with the school district to assist students in need and to  
20 coordinate services under the program. A case manager's roles and  
21 responsibilities under the program include, but are not limited to:
  - 22 (1) Work with the school liaison and clinical therapist to identify  
23 students and triage priorities for treatment;
  - 24 (2) provide outreach to students, families and child welfare contacts  
25 to help engage in treatment;
  - 26 (3) participate in the treatment planning process;
  - 27 (4) communicate with the school liaison and other school district  
28 personnel about student needs, interventions and progress;
  - 29 (5) help maintain communication among all entities, including the  
30 family, student, school, clinical therapist, child welfare contacts and the  
31 community;
  - 32 (6) maintain the treatment plan and necessary treatment protocols  
33 required by the mental health intervention team provider;
  - 34 (7) make referrals to appropriate community resources;
  - 35 (8) help reconnect students and families when they are not following  
36 through with the treatment process;
  - 37 (9) help families negotiate barriers to treatment; and
  - 38 (10) engage with the student in the classroom, the home or the  
39 community to help build skills wherever needed.
- 40 Sec. 5. (a) Each school district that receives moneys pursuant to  
41 section 3, and amendments thereto, shall establish a mental health  
42 intervention team program fund. All moneys received by a school district  
43 for the mental health intervention team program grant or the mental health

1 intervention team provider pass-through grant shall be credited to such the  
 2 mental health intervention team program fund. Moneys in such fund shall  
 3 be used by a school district to:

4 (1) Pay for the expenditures that are attributable to the salary and  
 5 fringe benefits of any school liaison employed by the school district  
 6 pursuant to the mental health intervention team program; and

7 (2) provide payment to each partnering mental health intervention  
 8 team provider in an amount equal to the mental health intervention team  
 9 provider pass-through grant received by the school district.

10 (b) The school district shall keep separate accounting records for the  
 11 school liaison expenditures and the pass-through grants to mental health  
 12 intervention team providers.

13 Sec. 6. (a) There is hereby established a qualified school mental  
 14 health intervention team board appointed by the secretary as follows:

15 (1) A school psychologist employed by a qualified school;

16 (2) a school administrator employed by a qualified school;

17 (3) a mental health professional employed by a community mental  
 18 health center;

19 (4) a mental health professional employed by a federally qualified  
 20 health center;

21 (5) a representative of the state board of education;

22 (6) a representative of the department; and

23 (7) a parent or guardian of a qualified school student.

24 (b) The board shall:

25 (1) Establish a qualified school mental health intervention team  
 26 program as provided for in this section;

27 (2) establish a plan, including specified criteria, for the allocation of  
 28 moneys to qualified schools for the establishment and maintenance of  
 29 mental health intervention teams. Such teams shall provide timely support  
 30 and resources to students facing mental health issues in order to promote a  
 31 healthier learning environment; and

32 (3) review the criteria for school district funding as provided in  
 33 section 3, and amendments thereto, and determine which such criteria will  
 34 work best for the qualified schools. Such criteria may include, but not be  
 35 limited to, student population size, demonstrated need for mental health  
 36 support and the availability of qualified staff.

37 (c) Any qualified school seeking funding for mental health  
 38 intervention teams shall submit a proposal for funding to the board. The  
 39 board shall evaluate each proposal based on the criteria established by the  
 40 board. The board shall make recommendations to the secretary on the  
 41 allocation of funding, and subject to appropriations therefor, the secretary  
 42 shall allocate funding for qualified schools based on such  
 43 recommendations.



1 (d) The board shall oversee the implementation of the qualified  
2 school's mental health intervention teams. The board shall review the  
3 criteria for school district reporting, monitoring and evaluating as provided  
4 in section 3, and amendments thereto, and determine which such criteria  
5 will work best for the qualified schools. The board shall establish such  
6 reporting, monitoring and evaluating to ensure that the mental health  
7 intervention teams effectively meet the needs of students and adhere to  
8 best practices in mental healthcare and program service delivery.

9 (e) The board shall provide resources, training and support to  
10 qualified schools and such school's mental health intervention teams,  
11 including access to professional development opportunities, educational  
12 materials and networking opportunities with other qualified schools and  
13 mental health organizations.

14 (f) Annually, on or before the first day of the regular session of the  
15 legislature commencing in 2026, the department shall prepare and submit a  
16 report summarizing the mental health intervention team program for  
17 qualified schools to the house of representatives standing committees on  
18 appropriations, social services budget and health and human services, or  
19 their successor committees, and the senate standing committees on ways  
20 and means, ways and means subcommittee on human services and public  
21 health and welfare, or their successor committees.

22 Sec. 7. This act shall take effect and be in force from and after its  
23 publication in the statute book.