

HB0373S01 compared with HB0373

~~deleted text~~ shows text that was in HB0373 but was deleted in HB0373S01.

Inserted text shows text that was not in HB0373 but was inserted into HB0373S01.

DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

Representative Steve Eliason proposes the following substitute bill:

STUDENT SUPPORT AMENDMENTS

2019 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Steve Eliason

Senate Sponsor: ~~_____~~ Ann Millner

LONG TITLE

General Description:

This bill repeals and enacts provisions related to school-based ~~mental~~ health support.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ ~~authorizes~~ requires the State Board of Education (board) to coordinate with the Department of Health and make recommendations related to Medicaid reimbursement for school-based health services;
- ▶ authorizes the board ~~to~~ to distribute money to local education agencies (LEAs) for personnel who provide school-based mental health support;
- ▶ requires the board to establish a formula for distribution of money to LEAs;
- ▶ enacts requirements on LEAs to receive money;

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- ▶ requires the board to make rules related to money for the personnel; and
- ▶ enacts other provisions related to student mental health support.

Money Appropriated in this Bill:

This bill appropriates in fiscal year 2020:

- ▶ to the State Board of Education - Minimum School Program - Related to Basic School Programs - Student Health and Counseling Support Program, as an ongoing appropriation:
 - from the Education Fund, \$32,100,000.

Other Special Clauses:

~~{ None }~~ This bill provides a coordination clause.

Utah Code Sections Affected:

ENACTS:

53E-3-518, Utah Code Annotated 1953

53F-2-415, Utah Code Annotated 1953

REPEALS:

53F-5-209, as enacted by Laws of Utah 2018, Chapter 412

Utah Code Sections Affected by Coordination Clause:

53E-1-201, as enacted by Laws of Utah 2018, Chapter 1

Be it enacted by the Legislature of the state of Utah:

Section 1. Section ~~{53F-2-415}~~ 53E-3-518 is enacted to read:

53E-3-518. Medicaid reimbursement for school-based health services -- Report to Legislature.

(1) The state board shall coordinate with the Department of Health and stakeholders to address and develop recommendations related to:

(a) the expansion of Medicaid reimbursement for school-based health services, including how to expand Medicaid-eligible school-based services beyond the services for students with IEPs; and

(b) other areas concerning Medicaid reimbursement for school-based health services, including the time threshold for medically necessary IEP services.

(2) The state board shall report the recommendations described in Subsection (1) to the

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Education Interim Committee on or before August 15, 2019.

Section 2. Section 53F-2-415 is enacted to read:

53F-2-415. Student health and counseling support -- Qualifying personnel --

Distribution formula -- Rulemaking.

(1) As used in this section ~~f~~:

~~(a) f~~, "~~{Intergenerational poverty}~~" means the same as that term is defined in Section ~~35A-9-102~~.

~~(b) "Qualifying~~~~f~~qualifying personnel" means a school counselor or other counselor, school psychologist or other psychologist, school social worker or other social worker, or school nurse who:

~~(f~~ii~~a)~~ is licensed; and

~~(f~~ii~~b)~~ collaborates with educators and a student's parent on:

~~(f~~A~~i)~~ early identification and intervention of the student's academic and mental health needs; and

~~(f~~B~~ii)~~ removing barriers to learning and developing skills and behaviors critical for the student's academic achievement.

(2) (a) Subject to legislative appropriations, and in accordance with Subsection (2)(b), the state board shall distribute money appropriated under this section to LEAs to provide in a school targeted school-based mental health support, including trauma-informed care, through employing or entering into contracts for services provided by qualifying personnel.

(b) ~~f~~i) The state board shall, after consulting with LEA governing boards, develop a formula to distribute money appropriated under this section to LEAs.

~~{~~ ~~(ii)~~ The formula shall take into consideration:

~~(A)~~ LEAs with one or more schools with a high percentage of students who have experienced a risk factor for childhood trauma;

~~(B)~~ LEAs with one or more schools with a high percentage of students experiencing intergenerational poverty; and

~~(C)~~ LEAs with one or more elementary schools with a low percentage of qualifying personnel;

~~f~~ (3) To qualify for money under this section, an LEA shall submit to the state board an application that includes:

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(a) measurable goals on improving student safety, student engagement, school culture, ~~and~~ or academic achievement;

(b) how the LEA intends to meet the goals described in Subsection (3)(a) through the use of the money; and

(c) how the LEA is meeting the requirements related to parent education described in Section 53G-9-703.

(4) The state board shall distribute money appropriated under this section to an LEA that qualifies under Subsection (3):

(a) based on the formula described in Subsection (2)(b); and

(b) in an amount of money that the LEA equally matches using local or unrestricted state money.

(5) An LEA may not use money distributed by the state board under this section to supplant federal, state, or local money previously allocated to employ or enter into contracts for services provided by qualified personnel.

(6) The state board shall make rules that establish:

(a) procedures for applying for and distributing money under this section ~~, including definitions of risk factors for childhood trauma~~;

(b) the formula the state board will use to distribute money to LEAs described in Subsection (2)(b); and

(c) in accordance with Subsection (7), annual reporting requirements for an LEA that receives money under this section.

(7) An LEA that receives money under this section shall submit an annual report to the state board, including:

(a) progress toward achieving the goals submitted under Subsection (3)(a); and

(b) if the LEA discontinues a qualifying personnel position, the LEA's reason for discontinuing the position.

(8) Beginning on or before July 1, 2019, the state board shall provide training that instructs school personnel on the impact of childhood trauma on student learning, including information advising educators against practicing medicine, giving a diagnosis, or providing treatment.

(9) The state board may use up to 3% of an appropriation under this section for costs

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related to the administration of the provisions of this section.

(10) Notwithstanding the provisions of this section, money appropriated under this section may be used, as determined by the state board, for:

(a) the School Safety and Crisis Line described in Section 53E-10-502; or

(b) youth suicide prevention programs described in Section 53G-9-702.

Section ~~2~~3. **Repealer.**

This bill repeals:

Section **53F-5-209, Grants for school-based mental health supports.**

Section ~~3~~4. **Appropriation.**

The following sums of money are appropriated for the fiscal year beginning July 1, 2019, and ending June 30, 2020. These are additions to amounts previously appropriated for fiscal year 2020. Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, the Legislature appropriates the following sums of money from the funds or accounts indicated for the use and support of the government of the state of Utah.

ITEM 1

To State Board of Education - Minimum School Program - Related to Basic School Programs

<u>From Education Fund</u>	<u>\$32,100,000</u>
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Schedule of Programs:

<u>Student Health and Counseling Support Program</u>	<u>\$32,100,000</u>
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The Legislature intends that in each of fiscal years 2020 and 2021, the State Board of Education use \$2,100,000 of the appropriation provided under this item to support the elementary school counseling program created in Laws of Utah 2018, Chapter 412, Section 1.

Section 5. Coordinating H.B. 373 with S.B. 14 -- Substantive language.

If this H.B. 373 and S.B. 14, Education Reporting Requirements, both pass and become law, it is the intent of the Legislature that the Office of Legislative Research and General Counsel prepare the Utah Code database for publication by:

(1) inserting the following language as a new Subsection 53E-1-201(2)(a):

"(a) the report described in Section 53E-3-518 by the state board regarding recommendations related to Medicaid reimbursement for school-based health services;" and

(2) renumbering remaining subsections accordingly.