

House Bill 26

By: Representatives Scott of the 76th, Schofield of the 63rd, and Davis of the 87th

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 2 of Chapter 1 of Title 37 of the Official Code of Georgia Annotated,
2 relating to the powers and duties of the Department of Behavioral Health and Developmental
3 Disabilities regarding the governing and regulation of mental health, so as to establish a
4 school-linked behavioral health grant program; to provide a definition; to provide criteria for
5 determining eligible applicants; to provide for allowable activities and related expenses; to
6 provide for data collection and outcome measurement; to provide for related matters; to
7 provide for a short title; to repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 This Act shall be known and may be cited as the "School Behavioral Mental Health Support
11 Act."

12 **SECTION 2.**

13 Article 2 of Chapter 1 of Title 37 of the Official Code of Georgia Annotated, relating to the
14 powers and duties of the Department of Behavioral Health and Developmental Disabilities

15 regarding the governing and regulation of mental health, is amended by adding a new Code
16 section to read as follows:

17 "37-1-30.

18 (a) As used in this Code section, the term 'mental health or substance use disorder' means
19 a mental illness or addictive disease.

20 (b) Subject to available appropriations or other funding, the department shall establish a
21 school-linked behavioral health grant program to provide early identification of and
22 intervention for students with mental health or substance use disorder needs and to build
23 the capacity of K-12 schools to support students with mental health or substance use
24 disorder needs in the classroom.

25 (c) An eligible applicant for a school-linked behavioral health grant is an entity or provider
26 that is:

27 (1) A community service board;

28 (2) A community mental health center;

29 (3) A licensed healthcare provider who primarily provides treatment or diagnosis of
30 mental health or substance use disorders; and

31 (4) A Medicaid provider that employs licensed healthcare providers who provide
32 treatment or diagnosis of mental health or substance use disorders to children and
33 families.

34 (d) Allowable grant activities and related expenses may include but shall not be limited
35 to:

36 (1) Identifying and diagnosing mental health or substance use disorders of students;

37 (2) Delivering mental health or substance use disorder treatment and services to students
38 and their families, including via telehealth;

39 (3) Supporting families in meeting their children's needs, including navigating
40 healthcare, social services, and the juvenile justice system;

- 41 (4) Providing transportation for students receiving school-linked behavioral health
42 services when school is not in session;
- 43 (5) Building the capacity of schools to meet the needs of students with mental health or
44 substance use disorder concerns, including school staff development activities for
45 licensed and nonlicensed staff; and
- 46 (6) Equipment purchases, connection charges, on-site coordination, set-up fees, and site
47 fees associated with delivering school-linked behavioral health services via telehealth.
- 48 (e) Grantees shall obtain all available third-party reimbursement sources as a condition of
49 receiving a school-linked behavioral health grant. For purposes of this grant program, a
50 third-party reimbursement source excludes a local school system. Grantees shall serve
51 students regardless of health coverage status or ability to pay.
- 52 (f) Grantees shall collect and provide data to the department for the purpose of evaluating
53 the effectiveness of the school-linked behavioral health grant program."

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SECTION 3.

55 All laws and parts of laws in conflict with this Act are repealed.