

HOUSE BILL No. 2669

By Committee on Health and Human Services

Requested by Representative Landwehr

2-1

1 AN ACT concerning behavioral health; relating to the Kansas department
2 for aging and disability services; codifying the mental health
3 intervention team program in state statute; requiring the department to
4 oversee implementation of the program; establishing structures for
5 partnership between community mental health centers and school
6 districts; providing for coordination of mental health services to
7 students.
8

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

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

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

14 (1) "Community mental health center" means a center organized
15 pursuant to article 40 of chapter 19 of the Kansas Statutes Annotated, and
16 amendments thereto, or a mental health clinic organized pursuant to article
17 2 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto.
18 References to "community mental health center" shall also include other
19 provider categories as authorized by the department to serve as a
20 partnering provider under the mental health intervention team program act,
21 except in section 3(d)(3), and amendments thereto.

22 (2) "Department" means the Kansas department for aging and
23 disability services.

24 (3) "School district" means a school district as defined in K.S.A. 72-
25 5132, and amendments thereto, or "qualified school" as defined in K.S.A.
26 72-4352, and amendments thereto.

27 Sec. 2. (a) There is hereby established the mental health intervention
28 team program. Such program shall be a continuation of the mental health
29 intervention team pilot program first established pursuant to section 1 of
30 chapter 57 of the 2018 Session Laws of Kansas and K.S.A. 72-9943 and
31 continued and expanded through subsequent appropriation acts of the
32 legislature.

33 (b) The purposes of the mental health intervention team program are
34 to:

35 (1) Provide greater access to behavioral health services for students

1 enrolled in kindergarten or any of the grades one through 12 and establish
2 a coherent structure between school districts and community mental health
3 centers to optimize scarce behavioral health resources and workforce;

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

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

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

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

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

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

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

26 (d) The secretary for aging and disability services shall appoint a
27 mental health intervention team program manager and, within the limits of
28 appropriations therefor, such additional staff as necessary to support such
29 manager.

30 Sec. 3. (a) The Kansas department for aging and disability services
31 shall oversee and implement the mental health intervention team program
32 in accordance with the requirements of the mental health intervention team
33 program act and the policies and procedures established by the department
34 pursuant to such act.

35 (b) In each school year, the board of education of a school district
36 may apply to the department to establish or maintain a mental health
37 intervention team program within such school district. The application
38 shall be in such form and manner as the department requires and submitted
39 at a time determined and specified by the department. Each application
40 submitted by a school district shall specify the community mental health
41 center that the school intends to coordinate with to provide school-based
42 services to students who need assistance during the applicable school year.
43 The school district shall provide notice to the community mental health

1 center no later than June 1 of their intent to partner for the following
2 school year. The Kansas department for aging and disability services shall
3 establish an application review committee that shall include
4 representatives from the association of community mental health centers of
5 Kansas and the department of education.

6 (c) (1) If a school district and community mental health center are
7 approved to establish or maintain a mental health intervention team
8 program, the school district shall enter into a memorandum of
9 understanding with a partnering community mental health center. If the
10 school district chooses to partner with more than one community mental
11 health center, the school district shall enter into a separate memorandum of
12 understanding with each such community mental health center. The
13 department may establish requirements for a memorandum of
14 understanding, including contractual provisions that are required to be
15 included in each memorandum of understanding and that are optional and
16 subject to agreement between the school district and the community
17 mental health center. Each memorandum of understanding shall be
18 submitted to the department for final approval.

19 (2) The department may authorize another category of provider other
20 than a community mental health center to serve as a partnering provider
21 under the mental health intervention team program act. Such category of
22 provider shall provide the required services and otherwise meet the
23 requirements of a partnering community mental health center under the
24 act. If the department authorizes another category of provider other than a
25 community mental health center, the department shall provide notification
26 of this decision to the community mental health center that provides
27 services in that county.

28 (d) (1) Subject to appropriations therefor, a school district and
29 community mental health center that have been approved by the
30 department to establish or maintain a mental health intervention team
31 program shall be eligible to receive a mental health intervention team
32 program grant and a community mental health center pass-through grant.

33 (A) Except as provided in subsection (e), the amount of a school
34 district's mental health intervention team program grant shall be
35 determined in each school year by calculating the total amount of the
36 salary and fringe benefits paid by the school district to each school liaison.

37 (B) The amount of a school district's community mental health center
38 pass-through grant shall be an amount equal to 50% of the amount of the
39 school district's mental health intervention team grant. Moneys provided to
40 a school district for the community mental health center pass-through
41 grant shall be paid to any community mental health center that partners
42 with the school district.

43 (2) If the amount of appropriations are insufficient to pay in full the

1 amount of all grants school districts are entitled to receive for the school
2 year, the department shall prorate the amount appropriated among all
3 districts. The department shall be responsible for the allocation and
4 distribution of grants in accordance with appropriation acts. The
5 department may make grant payments in installments and may provide for
6 payments in advance or by way of reimbursement and may make any
7 necessary adjustments for any overpayment to a school district. The
8 department shall not award any grant to a school district unless such
9 district has entered into a memorandum of understanding with a partnering
10 community mental health center in accordance with subsection (c). Any
11 remaining appropriations that were not allocated to the mental health
12 intervention team program shall provide funding in the form of grants
13 from the department to the association of community mental health centers
14 of Kansas to fund training for school districts participating in the mental
15 health intervention team program act.

16 (3) The department shall advise and consult with the association of
17 community mental health centers of Kansas, or any successor organization
18 thereto representing community mental health centers in the state of
19 Kansas, prior to awarding any grant under this subsection.

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

35 (f) On or before the first day of the legislative session of 2025, and on
36 or before the first day of each legislative session thereafter, the department
37 shall prepare and submit a report on the mental health intervention team
38 program for the preceding school year to the house of representatives
39 standing committees on appropriations, social services budget and health
40 and human services, or their successor committees, and the senate standing
41 committees on ways and means, ways and means subcommittee on human
42 services and public health and welfare, or their successor committees.
43 Such report shall provide a summary of the program, including, but not

1 limited to, the school districts that applied to participate or continued
2 participating under the program, the participating community mental
3 health centers, the grant amount each such school district received and the
4 payments made by school districts from the mental health intervention
5 team program fund of each school district.

6 Sec. 4. (a) The staff required for the establishment and maintenance
7 of a mental health intervention team program shall include a combination
8 of one or more behavioral health liaisons employed by the school district
9 and one or more case managers and therapists licensed by the behavioral
10 sciences regulatory board who are employed by the partnering community
11 mental health center. All staff working together under a school district's
12 program shall be known as the mental health intervention team of the
13 school district.

14 (b) The school district and the community mental health center shall
15 cooperate and work together to identify needs specific to the students in
16 the school district, and the families of such students and shall develop an
17 action plan to implement a school-based program that is tailored to such
18 needs.

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

25 (1) Identifying appropriate student referrals for the team to engage
26 with;

27 (2) act as a liaison between the school district and the community
28 mental health center and be the primary point of contact for
29 communications between the school district and the community mental
30 health center;

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

34 (4) triage prospective student referrals and help decide how to
35 prioritize interventions;

36 (5) help the community mental health center and other school
37 personnel understand the roles and responsibilities of the mental health
38 intervention team;

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

41 (7) coordinate a student's treatment schedule with building
42 administrators and classroom teachers, to optimize clinical therapist's
43 productivity;

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

3 (9) track and compile outcomes to monitor the effectiveness of the
4 program;

5 (10) maintain and update the department of education mental health
6 intervention team database as directed by the department and required by
7 this section;

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

10 (12) be an active part of the school intervention team and relay
11 information back to community mental health center staff, including
12 student observations, intervention feedback from teachers,
13 communications with family and other relevant information;

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

16 (14) assist in planning continuity of care through summer services;
17 and

18 (15) submit an annual report to the department of aging and disability
19 services on how the liaison complied with the required roles and
20 responsibilities.

21 (d) Within the scope of employment by a school district, an
22 individual employed as a school liaison shall primarily perform roles and
23 responsibilities that are related to the school liaison position as described
24 in this section.

25 (e) Once the initial referral has been completed for a student, all
26 relevant information shall be entered into the database within 14 calendar
27 days.

28 (f) A community mental health center that partners with a school
29 district shall employ one or more therapists licensed by the behavioral
30 sciences regulatory board who will collaborate with the school district to
31 assist students in need and provide services to such students under the
32 program. A therapist's roles and responsibilities under the program include,
33 but are not limited to:

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

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

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

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

42 (5) engage with the student, family or child welfare contacts in
43 clinical interventions as identified on the treatment plan and provide

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

1 fund shall be used by a school district to:

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

5 (2) provide payment to each partnering community mental health
6 center in an amount equal to the community mental health center pass-
7 through grant received by the school district.

8 (b) The school district shall keep separate accounting records for the
9 school liaison expenditures and the pass-through grants to community
10 mental health centers.

11 (c) Twice per year, beginning in 2025, the department shall publish
12 on its website an aggregated report of outcomes achieved, numbers served
13 and associated information by the mental health intervention team
14 program.

15 Sec. 6. This act shall take effect and be in force from and after its
16 publication in the statute book.