

85R2695 SMT-D

By: Huffman, Nelson, Schwertner

S.B. No. 292

A BILL TO BE ENTITLED
AN ACT

relating to the creation of a grant program to reduce recidivism, arrest, and incarceration of individuals with mental illness.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter B, Chapter 531, Government Code, is amended by adding Section 531.0993 to read as follows:

Sec. 531.0993. GRANT PROGRAM TO REDUCE RECIDIVISM, ARREST, AND INCARCERATION AMONG INDIVIDUALS WITH MENTAL ILLNESS AND TO REDUCE WAIT TIME FOR FORENSIC COMMITMENT. (a) For purposes of this section, "low-income household" means a household with a total income at or below 200 percent of the federal poverty guideline.

(b) Using money appropriated to the commission for that purpose, the commission shall make grants to county-based community collaboratives for the purposes of reducing:

(1) recidivism by, the frequency of arrests of, and incarceration of persons with mental illness; and

(2) the total waiting time for forensic commitment of persons with mental illness to a state hospital.

(c) A community collaborative is eligible to receive a grant under this section only if the collaborative includes a county, a local mental health authority that operates in the county, and each hospital district, if any, located in the county. A community collaborative may include other local entities designated by the collaborative's members.

(d) The commission shall condition each grant provided to a community collaborative under this section on the collaborative providing matching funds from non-state sources in a total amount at least equal to the awarded grant amount. To raise matching funds, a collaborative may seek and receive gifts, grants, or donations from any person.

(e) The commission shall estimate the number of cases of serious mental illness in low-income households located in each of the 10 most populous counties in this state. For the purposes of distributing grants under this section to community collaboratives established in those 10 counties, for each fiscal year the commission shall determine an amount of grant money available on a per-case basis by dividing the total amount of money appropriated to the commission for the purpose of making grants under this section in that year by the estimated total number of cases of serious mental illness in low-income households located in those 10 counties.

(f) The commission shall make available to a community collaborative established in each of the 10 most populous counties in this state a grant in an amount equal to the lesser of:

(1) an amount determined by multiplying the per-case amount determined under Subsection (e) by the estimated number of cases of serious mental illness in low-income households in that county; and

(2) an amount equal to the collaborative's available matching funds.

(g) To the extent appropriated money remains available to the commission for that purpose after the commission awards grants under Subsection (f), the commission shall make available to community collaboratives established in other counties in this state grants through a competitive request for proposal process.

For purposes of awarding a grant under this subsection, a collaborative may include adjacent counties if, for each member county, the collaborative's members include a local mental health authority that operates in the county and each hospital district, if any, located in the county. A grant awarded under this subsection may not exceed an amount equal to the lesser of:

(1) an amount determined by multiplying the per-case amount determined under Subsection (e) by the estimated number of cases of serious mental illness in low-income households in the county or counties; and

(2) an amount equal to the collaborative's available matching funds.

(h) The community collaboratives established in each of the 10 most populous counties in this state shall submit to the commission a plan that:

(1) is endorsed by each of the collaborative's member entities;

(2) identifies a target population;

(3) describes how the grant money and matching funds will be used;

(4) includes outcome measures to evaluate the success of the plan; and

(5) describes how the success of the plan in accordance with the outcome measures would further the state's interest in the grant program's purposes.

(i) A community collaborative that applies for a grant under Subsection (g) must submit to the commission a plan as described by Subsection (h). The commission shall consider the submitted plan together with any other relevant information in awarding a grant under Subsection (g).

(j) The commission must review and approve plans submitted under Subsection (h) or (i) before the commission distributes a grant under Subsection (f) or (g). If the commission determines that a plan includes insufficient outcome measures, the commission may make the necessary changes to the plan to establish appropriate outcome measures. The commission may not make other changes to a plan submitted under Subsection (h) or (i).

(k) Acceptable uses for the grant money and matching funds include:

(1) the continuation of a mental health jail diversion program;

(2) the establishment or expansion of a mental health jail diversion program;

(3) the establishment of alternatives to competency restoration in a state hospital, including outpatient competency restoration, inpatient competency restoration in a setting other than a state hospital, or jail-based competency restoration;

(4) the provision of assertive community treatment or forensic assertive community treatment with an outreach component;

(5) the provision of intensive mental health services and substance abuse treatment not readily available in the county;

(6) the provision of continuity of care services for an individual being released from a state hospital;

(7) the establishment of interdisciplinary rapid response teams to reduce law enforcement's involvement with mental health emergencies; and

(8) the provision of local community hospital, crisis, respite, or residential beds.

(1) Not later than December 31 of each year for which the commission distributes a grant under this section, each community collaborative that receives a grant shall prepare and submit a

report describing the effect of the grant money and matching funds in achieving the standard defined by the outcome measures in the plan submitted under Subsection (h) or (i).

(m) The commission may make inspections of the operation and provision of mental health services provided by a community collaborative to ensure state money appropriated for the grant program is used effectively.

(n) The commission shall enter into an agreement with a qualified nonprofit or private entity to serve as the administrator of the grant program at no cost to the state. The administrator shall assist, support, and advise the commission in fulfilling the commission's responsibilities with respect to the grant program. The administrator may advise the commission on:

(1) design, development, implementation, and management of the program;

(2) eligibility requirements for grant recipients;

(3) design and management of the competitive bidding processes for applications or proposals and the evaluation and selection of grant recipients;

(4) grant requirements and mechanisms;

(5) roles and responsibilities of grant recipients;

(6) reporting requirements for grant recipients;

(7) support and technical capabilities;

(8) timelines and deadlines for the program;

(9) evaluation of the program and grant recipients;

(10) requirements for reporting on the program to policy makers; and

(11) estimation of the number of cases of serious mental illness in low-income households in each county.

SECTION 2. This Act takes effect September 1, 2017.