

**Senate File 2163 - Introduced**

SENATE FILE 2163

BY MATHIS

**A BILL FOR**

1 An Act relating to a mental health service providers  
2 competitive grant program for school districts and area  
3 education agencies, making an appropriation, and including  
4 effective date provisions.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 256.20 Mental health service  
2 providers competitive grant program.

3 1. The department shall establish a mental health  
4 service providers competitive grant program to use mental  
5 health service providers who have received a statement  
6 of professional recognition from the board of educational  
7 examiners in high-need school districts or in high-need  
8 attendance centers operated by school districts. The state  
9 board, after consultation with education stakeholders, shall  
10 adopt rules pursuant to chapter 17A for the program, including  
11 rules relating to grant application materials, eligibility  
12 requirements, and award criteria.

13 2. A school district or area education agency or any  
14 combination thereof may apply to the department for a grant  
15 to employ a mental health service provider who has received  
16 a statement of professional recognition from the board of  
17 educational examiners to design and implement a program that  
18 provides counseling and support services for children who  
19 are enrolled in a school district, and counseling, support  
20 services, and training for adults employed by or served by the  
21 school district, who have a serious emotional disturbance. For  
22 purposes of this section, "*serious emotional disturbance*" means  
23 the same as defined in section 225C.2.

24 3. Moneys awarded under this section shall be used to  
25 supplement, not supplant, existing public funding used by a  
26 school district or area education agency for similar purposes.

27 Sec. 2. DEPARTMENT OF EDUCATION — MENTAL HEALTH SERVICE  
28 PROVIDERS COMPETITIVE GRANT PROGRAM. There is appropriated  
29 from the general fund of the state to the department of  
30 education for the fiscal year beginning July 1, 2021, and  
31 ending June 30, 2022, the following amount, or so much thereof  
32 as is necessary, to be used for the purposes designated:

33 For purposes of the mental health service providers  
34 competitive grant program pursuant to section 256.20, if  
35 enacted, including the establishment and start-up programming

1 costs of implementing the program:

2 ..... \$ 15,000,000

3 Notwithstanding section 8.33, moneys received by the  
4 department pursuant to this section that remain unencumbered or  
5 unobligated at the close of the fiscal year shall not revert  
6 but shall remain available for expenditure for the purposes  
7 specified in this section for the following fiscal year.

8 Sec. 3. EMERGENCY RULES. The state board of education  
9 may adopt emergency rules under section 17A.4, subsection 3,  
10 and section 17A.5, subsection 2, paragraph "b", to implement  
11 the provisions of this Act and the rules shall be effective  
12 immediately upon filing unless a later date is specified in the  
13 rules. Any rules adopted in accordance with this section shall  
14 also be published as a notice of intended action as provided  
15 in section 17A.4.

16 Sec. 4. EFFECTIVE DATE. This Act, being deemed of immediate  
17 importance, takes effect upon enactment.

18 EXPLANATION

19 The inclusion of this explanation does not constitute agreement with  
20 the explanation's substance by the members of the general assembly.

21 This bill provides for the establishment by the department  
22 of education of a mental health service providers competitive  
23 grant program to use mental health service providers who have  
24 received a statement of professional recognition from the board  
25 of educational examiners in high-need school districts or in  
26 high-need attendance centers operated by school districts, and  
27 appropriates \$15 million from the general fund of the state to  
28 the department for FY 2021-2022 for purposes of the program.

29 A school district or area education agency or any  
30 combination thereof may apply to the department for a grant  
31 to employ a mental health service provider who has received  
32 a statement of professional recognition from the board of  
33 educational examiners to design and implement a program that  
34 provides counseling and support services for children who  
35 are enrolled in a school district and such counseling and

1 support services, as well as training, to adults employed by  
2 or served by the school district who have a serious emotional  
3 disturbance.

4 "Serious emotional disturbance" is defined as a diagnosable  
5 mental, behavioral, or emotional disorder of sufficient  
6 duration to meet diagnostic criteria specified within the most  
7 current diagnostic and statistical manual of mental disorders  
8 published by the American psychiatric association that results  
9 in a functional impairment. "Serious emotional disturbance"  
10 does not include substance use and developmental disorders  
11 unless such disorders co-occur with such a diagnosable mental,  
12 behavioral, or emotional disorder.

13 In adopting rules for the program, the state board of  
14 education is directed to consult with education stakeholders.  
15 The bill provides the state board with emergency rulemaking  
16 authority.

17 Moneys awarded must be used to supplement, not supplant,  
18 existing public funding used by a school district or area  
19 education agency for similar purposes. Moneys remaining  
20 unencumbered or unobligated at the close of the fiscal year  
21 do not revert but remain available for the following year for  
22 expenditure for the specified purposes.

23 The bill takes effect upon enactment.