

Senate File 398 - Introduced

SENATE FILE 398

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 service
4 providers competitive grant program to use mental health
5 service providers in high-need school districts or in high-need
6 attendance centers operated by school districts. The state
7 board, after consultation with education stakeholders, shall
8 adopt rules pursuant to chapter 17A for the program, including
9 but not limited to rules relating to grant application
10 materials, eligibility requirements, and award criteria.

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

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

23 Sec. 2. DEPARTMENT OF EDUCATION — MENTAL HEALTH SERVICE
24 PROVIDERS COMPETITIVE GRANT PROGRAM. There is appropriated
25 from the general fund of the state to the department of
26 education for the fiscal year beginning July 1, 2020, and
27 ending June 30, 2021, the following amount, or so much thereof
28 as is necessary, to be used for the purposes designated:

29 For purposes of the mental health service providers
30 competitive grant program pursuant to section 256.20, if
31 enacted, including the establishment and start-up programming
32 costs of implementing the program:
33 \$ 15,000,000

34 Notwithstanding section 8.33, moneys received by the
35 department pursuant to this section that remain unencumbered or

1 unobligated at the close of the fiscal year shall not revert
2 but shall remain available for expenditure for the purposes
3 specified in this section for the following fiscal year.

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

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

14 EXPLANATION

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

17 This bill provides for the establishment by the department
18 of education of a mental health service providers competitive
19 grant program to use mental health service providers in
20 high-need school districts or in high-need attendance centers
21 operated by school districts, and appropriates \$15 million
22 from the general fund of the state to the department for FY
23 2020-2021 for purposes of the program.

24 A school district or area education agency or any
25 combination thereof may apply to the department for a grant to
26 employ a mental health service provider to design and implement
27 a program that provides counseling and support services
28 for children who are enrolled in a school district and such
29 counseling and support services, as well as training, to adults
30 employed by or served by the school district who have a serious
31 emotional disturbance.

32 "Serious emotional disturbance" is defined as a diagnosable
33 mental, behavioral, or emotional disorder of sufficient
34 duration to meet diagnostic criteria specified within the most
35 current diagnostic and statistical manual of mental disorders

1 published by the American psychiatric association that results
2 in a functional impairment. "Serious emotional disturbance"
3 does not include substance use and developmental disorders
4 unless such disorders co-occur with such a diagnosable mental,
5 behavioral, or emotional disorder.

6 In adopting rules for the program, the state board of
7 education is directed to consult with education stakeholders.
8 The bill provides the state board with emergency rulemaking
9 authority.

10 Moneys awarded must be used to supplement, not supplant,
11 existing public funding used by a school district or area
12 education agency for similar purposes. Moneys remaining
13 unencumbered or unobligated at the close of the fiscal year
14 do not revert but remain available for the following year for
15 expenditure for the specified purposes.

16 The bill takes effect upon enactment.