Session of 2025

HOUSE BILL No. 2236

By Committee on Appropriations

Requested by Representative Ballard on behalf of the Kansas department for aging and disability services

2-4

AN ACT concerning mental health; relating to the Kansas department for aging and disability services and mental health intervention team providers; establishing the mental health intervention team program in state statute; providing incentives for coordination between school districts, qualified schools and mental health intervention team providers.

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

Section 1. (a) Sections 1 through 6, and amendments thereto, shall be known and may be cited as the mental health intervention team program act.

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

(1) "Department" means the Kansas department for aging and disability services.

(2) "Mental health intervention team provider" means a center organized pursuant to article 40 of chapter 19 of the Kansas Statutes Annotated, and amendments thereto, a mental health clinic organized pursuant to article 2 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto, or a federally qualified health center as defined by section 1905(l)(2)(B) of the federal social security act. "Mental health intervention team provider" includes other provider categories as authorized by the department to serve as a partnering provider under the mental health intervention team program.

(3) "Qualified school" means any nonpublic school that provides education to elementary or secondary students and is accredited by the state board of education or a national or regional accrediting agency that is recognized by the state board of education for the purpose of satisfying the teaching performance assessment for professional licensure or is working in good faith toward such accreditation.

(4) "School district" means a school district as defined in K.S.A. 72-5132, and amendments thereto.

(5) "Secretary" means the secretary for aging and disability services.

Sec. 2. (a) There is hereby established the mental health intervention team program. Such program shall be a continuation of the mental health

intervention team pilot program first established pursuant to section 1 of chapter 57 of the 2018 Session Laws of Kansas and K.S.A. 72-9943, and amendments thereto, and continued and expanded through subsequent appropriation acts of the legislature.

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

(1) Provide greater access to behavioral health services for students enrolled in kindergarten or any of the grades one through 12 and establish a coherent structure between school districts and mental health intervention team providers to optimize scarce behavioral health resources and workforce;

(2) identify students, communicate with families and link students and their families to the statewide behavioral health systems and resources within the network of mental health intervention team providers;

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

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

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

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

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

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

(d) Any mental health intervention team provider providing services pursuant to this program shall be available to provide support for students 24 hours a day, seven days a week, person-centered treatment planning and outpatient mental health services.

Sec. 3. (a) The Kansas department for aging and disability services shall oversee and implement the mental health intervention team program in accordance with the requirements of the mental health intervention team program act and the policies and procedures established by the department pursuant to such act. Subject to appropriations therefor, the secretary for aging and disability services shall appoint a mental health intervention

team program manager and any additional staff as necessary to support such manager.

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

(c) (1) The school district shall provide notice to the mental health intervention team provider, as soon as such district is able, of their intent to partner for the following school year.

(2) The department shall establish an application review committee that shall include representatives from mental health intervention team providers and the department of education:

(A) If a school district and mental health intervention team provider are approved to establish or maintain a mental health intervention team program, the school district shall enter into a memorandum of understanding with a partnering mental health center.

(B) If the school district chooses to partner with more than one mental health intervention team provider, the school district shall enter into a separate memorandum of understanding with each such mental health intervention team provider.

(3) The department may establish requirements for a memorandum of understanding, including contractual provisions that are required to be included in each memorandum of understanding and that are optional and subject to agreement between the school district and the mental health intervention team provider. Each memorandum of understanding shall be submitted to the department for final approval.

(d) The department may authorize another category of provider other than a mental health intervention team provider to serve as a partnering provider under the mental health intervention team program pursuant to this subsection. Such category of provider shall provide the required services and otherwise meet the requirements of a partnering mental health intervention team provider under this subsection. If the department authorizes another category of provider other than a mental health intervention team provider, the department shall provide notification of such decision to the mental health intervention team provider that provides services in that county.

(e) (1) Subject to appropriations therefor, a school district that has been approved by the department to establish or maintain a mental health

intervention team program shall be eligible to receive a mental health intervention team program grant and a mental health intervention team provider pass-through grant.

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

(B) The amount of a school district's mental health intervention team provider pass-through grant shall be an amount equal to 35% of the amount of the school district's mental health intervention team grant. Moneys provided to a school district for the mental health intervention team provider pass-through grant shall be paid to any mental health intervention team provider that partners with the school district.

(2) If the amount of appropriations are insufficient to pay the full amount of all grants that school districts are entitled to receive for the school year, the department shall prorate the amount appropriated among all districts. The department shall be responsible for the allocation and distribution of grants in accordance with appropriation acts. The department may make grant payments in installments and may provide for payments in advance or by way of reimbursement and may make any necessary adjustments for any overpayment to a school district. The department shall not award any grant to a school district unless such district has entered into a memorandum of understanding with a partnering mental health intervention team provider in accordance with subsection (c).

(f) The department may waive the requirement that a school district employ a school liaison and may instead authorize a mental health intervention team provider that partners with the school district to employ a school liaison. Such waiver shall only be granted by the department in limited circumstances. A school district that is granted a waiver pursuant to this section shall continue to be eligible to receive the mental health intervention team program grant and the mental health intervention team provider pass-through grant authorized pursuant to this section. The amount of the mental health intervention team program grant shall be determined in the same manner as provided under subsection (e)(1)(A) as though the school liaison was employed by such school district. Upon receipt of any moneys awarded pursuant to the mental health intervention team program grant to any such school district, the school district shall direct payment of such amount to the mental health intervention team provider that employs the school liaison.

(g) Annually, on or before the first day of the regular session of the legislature commencing in 2026, the department shall prepare and submit a report on the mental health intervention team program for the preceding

school year to the house of representatives standing committees on appropriations, social services budget and health and human services, or their successor committees, and the senate standing committees on ways and means, ways and means subcommittee on human services and public health and welfare, or their successor committees. The report shall provide a summary of the program, including, but not limited to, the school districts that applied to participate or continued participating under the program, the mental health intervention team providers, the grant amount that each such school district received and the payments made by school districts from the mental health intervention team program fund of each school district.

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

(b) The school district and the mental health intervention team provider shall cooperate and work together to identify needs specific to the students in the school district and the families of such students and shall develop an action plan to implement a school-based program that is tailored to such needs.

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

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

(2) act as a liaison between the school district and the mental health intervention team provider and be the primary point of contact for communications between the school district and the mental health intervention team provider;

(3) assist with mental health intervention team provider staff understanding of the school district's system and procedures, including the school calendar, professional development, drills and crisis plan protocols;

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

(5) help the mental health intervention team provider and other school personnel to understand the roles and responsibilities of the mental health

intervention team;

(6) facilitate communications and connections between families of identified students and the mental health intervention team provider's staff;

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

(8) troubleshoot problems that arise and work with the mental health intervention team provider to resolve such problems;

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

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

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

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

(13) work with school administration to identify and provide confidential space for a mental health intervention team provider therapist;

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

(15) submit an annual report to the department on how the liaison complied with the required roles and responsibilities;

(16) enter all relevant information into the database within 14 calendar days following the date that the initial referral was completed for a student; and

(17) primarily perform the roles and responsibilities that are related to the school liaison position as described in this section and within the scope of employment established by a school district.

(d) A mental health intervention team provider that partners with a school district shall employ one or more therapists licensed by the behavioral sciences regulatory board who will collaborate with the school district to assist students in need and provide services to such students under the program. A therapist's roles and responsibilities under the program include, but are not limited to:

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

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

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

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

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

(6) administer scales or tests to detect areas of concern with depression, anxiety, self-harm or other areas as identified;

(7) make referrals to other treatment modalities as appropriate;

(8) communicate educationally appropriate information to the school liaison, such as interventions and strategies for use by classroom and school staff;

(9) gather outcome data to monitor the effectiveness of the program;

(10) coordinate with the case manager to identify ways to support the student and family;

(11) provide therapy services as determined by the student's treatment plan; and

(12) maintain the treatment plan and necessary treatment protocols required by the mental health intervention team provider.

(e) A mental health intervention team provider that partners with a school district shall employ one or more case managers who will collaborate with the school district to assist students in need and to coordinate services under the program. A case manager's roles and responsibilities under the program include, but are not limited to:

(1) Work with the school liaison and clinical therapist to identify students and triage priorities for treatment;

(2) provide outreach to students, families and child welfare contacts to help engage in treatment;

(3) participate in the treatment planning process;

(4) communicate with the school liaison and other school district personnel about student needs, interventions and progress;

(5) help maintain communication among all entities, including the family, student, school, clinical therapist, child welfare contacts and the community;

(6) maintain the treatment plan and necessary treatment protocols required by the mental health intervention team provider;

(7) make referrals to appropriate community resources;

(8) help reconnect students and families when they are not following through with the treatment process;

(9) help families negotiate barriers to treatment; and

(10) engage with the student in the classroom, the home or the community to help build skills wherever needed.

Sec. 5. (a) Each school district that receives moneys pursuant to section 3, and amendments thereto, shall establish a mental health intervention team program fund. All moneys received by a school district for the mental health intervention team program grant or the mental health

intervention team provider pass-through grant shall be credited to such the mental health intervention team program fund. Moneys in such fund shall be used by a school district to:

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

(2) provide payment to each partnering mental health intervention team provider in an amount equal to the mental health intervention team provider pass-through grant received by the school district.

(b) The school district shall keep separate accounting records for the school liaison expenditures and the pass-through grants to mental health intervention team providers.

Sec. 6. (a) There is hereby established a qualified school mental health intervention team board appointed by the secretary as follows:

(1) A school psychologist employed by a qualified school;

(2) a school administrator employed by a qualified school;

(3) a mental health professional employed by a community mental health center;

(4) a mental health professional employed by a federally qualified health center;

(5) a representative of the state board of education;

(6) a representative of the department; and

(7) a parent or guardian of a qualified school student.

(b) The board shall:

(1) Establish a qualified school mental health intervention team program as provided for in this section;

(2) establish a plan, including specified criteria, for the allocation of moneys to qualified schools for the establishment and maintenance of mental health intervention teams. Such teams shall provide timely support and resources to students facing mental health issues in order to promote a healthier learning environment; and

(3) review the criteria for school district funding as provided in section 3, and amendments thereto, and determine which such criteria will work best for the qualified schools. Such criteria may include, but not be limited to, student population size, demonstrated need for mental health support and the availability of qualified staff.

(c) Any qualified school seeking funding for mental health intervention teams shall submit a proposal for funding to the board. The board shall evaluate each proposal based on the criteria established by the board. The board shall make recommendations to the secretary on the allocation of funding, and subject to appropriations therefor, the secretary shall allocate funding for qualified schools based on such recommendations.

(d) The board shall oversee the implementation of the qualified school's mental health intervention teams. The board shall review the criteria for school district reporting, monitoring and evaluating as provided in section 3, and amendments thereto, and determine which such criteria will work best for the qualified schools. The board shall establish such reporting, monitoring and evaluating to ensure that the mental health intervention teams effectively meet the needs of students and adhere to best practices in mental healthcare and program service delivery.

(e) The board shall provide resources, training and support to qualified schools and such school's mental health intervention teams, including access to professional development opportunities, educational materials and networking opportunities with other qualified schools and mental health organizations.

(f) Annually, on or before the first day of the regular session of the legislature commencing in 2026, the department shall prepare and submit a report summarizing the mental health intervention team program for qualified schools to the house of representatives standing committees on appropriations, social services budget and health and human services, or their successor committees, and the senate standing committees on ways and means, ways and means subcommittee on human services and public health and welfare, or their successor committees.

Sec. 7. This act shall take effect and be in force from and after its publication in the statute book.