

As Amended by House Committee

Session of 2024

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~~ **mental health**
6 **intervention team providers** and school districts; providing for
7 coordination of mental health services to 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 (2) **"Mental health intervention team provider" means a center**
25 **organized pursuant to article 40 of chapter 19 of the Kansas Statutes**
26 **Annotated, and amendments thereto, a mental health clinic organized**
27 **pursuant to article 2 of chapter 65 of the Kansas Statutes Annotated,**
28 **and amendments thereto, or a federally qualified health center as**
29 **defined by section 1905(l)(2)(B) of the federal social security act.**
30 **"Mental health intervention team provider" includes other provider**
31 **categories as authorized by the department to serve as a partnering**
32 **provider under the mental health intervention team program act. A**
33 **provider under this act shall provide services, including:**

34 (A) Support for students available 24 hours a day, seven days a
35 week;

1 **(B) person-centered treatment planning; and**

2 **(C) outpatient mental health services.**

3 (3) "School district" means a school district as defined in K.S.A. 72-
4 5132, and amendments thereto, or "qualified school" as defined in K.S.A.
5 72-4352, and amendments thereto.

6 Sec. 2. (a) There is hereby established the mental health intervention
7 team program. Such program shall be a continuation of the mental health
8 intervention team pilot program first established pursuant to section 1 of
9 chapter 57 of the 2018 Session Laws of Kansas and K.S.A. 72-9943 and
10 continued and expanded through subsequent appropriation acts of the
11 legislature.

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

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

19 (2) identify students, communicate with families and link students
20 and their families to the statewide behavioral health systems and resources
21 within the network of ~~community mental health centers~~ **mental health**
22 **intervention team providers**;

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

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

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

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

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

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

42 (d) The secretary for aging and disability services shall appoint a
43 mental health intervention team program manager and, within the limits of

1 appropriations therefor, such additional staff as necessary to support such
2 manager.

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

8 (b) In each school year, the board of education of a school district
9 may apply to the department to establish or maintain a mental health
10 intervention team program within such school district. The application
11 shall be in such form and manner as the department requires and submitted
12 at a time determined and specified by the department. Each application
13 submitted by a school district shall specify the ~~community mental health~~
14 ~~center~~ **mental health intervention team provider** that the school intends
15 to coordinate with to provide school-based services to students who need
16 assistance during the applicable school year. The school district shall
17 provide notice to the ~~community mental health center~~ **mental health**
18 **intervention team provider** no later than June 1 of their intent to partner
19 for the following school year. The Kansas department for aging and
20 disability services shall establish an application review committee that
21 shall include representatives from the ~~association of community mental~~
22 ~~health centers of Kansas~~ **mental health intervention team providers** and
23 the department of education.

24 (c) (1) If a school district and ~~community mental health center~~
25 **mental health intervention team provider** are approved to establish or
26 maintain a mental health intervention team program, the school district
27 shall enter into a memorandum of understanding with a partnering
28 ~~community mental health center~~ **mental health intervention team**
29 **provider**. If the school district chooses to partner with more than one
30 ~~community mental health center~~ **mental health intervention team**
31 **provider**, the school district shall enter into a separate memorandum of
32 understanding with each such ~~community mental health center~~ **mental**
33 **health intervention team provider**. The department may establish
34 requirements for a memorandum of understanding, including contractual
35 provisions that are required to be included in each memorandum of
36 understanding and that are optional and subject to agreement between the
37 school district and the ~~community mental health center~~ **mental health**
38 **intervention team provider**. Each memorandum of understanding shall be
39 submitted to the department for final approval.

40 (2) The department may authorize another category of provider other
41 than a ~~community mental health center~~ **mental health intervention team**
42 **provider** to serve as a partnering provider under the mental health
43 intervention team program act. Such category of provider shall provide the

1 required services and otherwise meet the requirements of a partnering
2 ~~community mental health center~~ **mental health intervention team**
3 **provider** under the act. If the department authorizes another category of
4 provider other than a ~~community mental health center~~ **mental health**
5 **intervention team provider**, the department shall provide notification of
6 this decision to the ~~community mental health center~~ **mental health**
7 **intervention team provider** that provides services in that county.

8 (d) (1) Subject to appropriations therefor, a school district and
9 ~~community mental health center~~ **mental health intervention team**
10 **provider** that have been approved by the department to establish or
11 maintain a mental health intervention team program shall be eligible to
12 receive a mental health intervention team program grant and a ~~community~~
13 ~~mental health center~~ **mental health intervention team provider** pass-
14 through grant.

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

19 (B) The amount of a school district's ~~community mental health center~~
20 **mental health intervention team provider** pass-through grant shall be an
21 amount equal to 50% of the amount of the school district's mental health
22 intervention team grant. Moneys provided to a school district for the
23 ~~community mental health center~~ **mental health intervention team**
24 **provider** pass-through grant shall be paid to any ~~community mental health~~
25 ~~center~~ **mental health intervention team provider** that partners with the
26 school district.

27 (2) If the amount of appropriations are insufficient to pay in full the
28 amount of all grants school districts are entitled to receive for the school
29 year, the department shall prorate the amount appropriated among all
30 districts. The department shall be responsible for the allocation and
31 distribution of grants in accordance with appropriation acts. The
32 department may make grant payments in installments and may provide for
33 payments in advance or by way of reimbursement and may make any
34 necessary adjustments for any overpayment to a school district. The
35 department shall not award any grant to a school district unless such
36 district has entered into a memorandum of understanding with a partnering
37 ~~community mental health center~~ **mental health intervention team**
38 **provider** in accordance with subsection (c). Any remaining appropriations
39 that were not allocated to the mental health intervention team program
40 shall provide funding in the form of grants from the department to the
41 association of ~~community mental health centers~~ **mental health**
42 **intervention team providers** of Kansas to fund training for school
43 districts participating in the mental health intervention team program act.

1 (3) The department shall ~~advise and consult with the association of~~
2 ~~community mental health centers of Kansas, or any successor organization~~
3 ~~thereto representing community mental health centers in the state of~~
4 ~~Kansas,~~ **seek advice from mental health intervention team providers**
5 prior to awarding any grant under this subsection.

6 (e) The department may waive the requirement that a school district
7 employ a school liaison and may instead authorize a ~~community mental~~
8 ~~health center~~ **mental health intervention team provider** that partners
9 with the school district to employ a school liaison. Such waiver shall only
10 be granted by the department in limited circumstances. A school district
11 that is granted a waiver pursuant to this section shall continue to be
12 eligible to receive the mental health intervention team program grant and
13 the ~~community mental health center~~ **mental health intervention team**
14 **provider** pass-through grant authorized pursuant to this section. The
15 amount of the mental health intervention team program grant shall be
16 determined in the same manner as provided under subsection (d)(1)(A) as
17 though the school liaison was employed by such school district. Upon
18 receipt of any moneys awarded pursuant to the mental health intervention
19 team program grant to any such school district, the school district shall
20 direct payment of such amount to the ~~community mental health center~~
21 **mental health intervention team provider** that employs the school
22 liaison.

23 (f) On or before the first day of the legislative session of 2025, and on
24 or before the first day of each legislative session thereafter, the department
25 shall prepare and submit a report on the mental health intervention team
26 program for the preceding school year to the house of representatives
27 standing committees on appropriations, social services budget and health
28 and human services, or their successor committees, and the senate standing
29 committees on ways and means, ways and means subcommittee on human
30 services and public health and welfare, or their successor committees.
31 Such report shall provide a summary of the program, including, but not
32 limited to, the school districts that applied to participate or continued
33 participating under the program, the ~~participating community mental~~
34 ~~health centers~~ **mental health intervention team providers**, the grant
35 amount each such school district received and the payments made by
36 school districts from the mental health intervention team program fund of
37 each school district.

38 Sec. 4. (a) The staff required for the establishment and maintenance
39 of a mental health intervention team program shall include a combination
40 of one or more behavioral health liaisons employed by the school district
41 and one or more case managers and therapists licensed by the behavioral
42 sciences regulatory board who are employed by the ~~partnering community~~
43 ~~mental health center~~ **mental health intervention team provider**. All staff

1 working together under a school district's program shall be known as the
2 mental health intervention team of the school district.

3 (b) The school district and the ~~community mental health center~~
4 **mental health intervention team provider** shall cooperate and work
5 together to identify needs specific to the students in the school district, and
6 the families of such students and shall develop an action plan to implement
7 a school-based program that is tailored to such needs.

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

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

17 (2) act as a liaison between the school district and the ~~community~~
18 ~~mental health center~~ **mental health intervention team provider** and be
19 the primary point of contact for communications between the school
20 district and the ~~community mental health center~~ **mental health**
21 **intervention team provider**;

22 (3) assist with ~~community mental health center~~ **mental health**
23 **intervention team provider** staff understanding of the school district's
24 system and procedures including the school calendar, professional
25 development, drills and crisis plan protocols;

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

28 (5) help the ~~community mental health center~~ **mental health**
29 **intervention team provider** and other school personnel understand the
30 roles and responsibilities of the mental health intervention team;

31 (6) facilitate communications and connections between families of
32 identified students and the ~~community mental health center's~~ **mental**
33 **health intervention team provider's** staff;

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

37 (8) troubleshoot problems that arise and work with the ~~community~~
38 ~~mental health center~~ **mental health intervention team provider** to
39 resolve such problems;

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

42 (10) maintain and update the department of education mental health
43 intervention team database as directed by the department and required by

1 this section;

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

4 (12) be an active part of the school intervention team and relay
5 information back to ~~community mental health center~~ **mental health**
6 **intervention team provider** staff, including student observations,
7 intervention feedback from teachers, communications with family and
8 other relevant information;

9 (13) work with school administration to identify and provide
10 confidential space for a ~~community mental health center~~ **mental health**
11 **intervention team provider** therapist;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

7 (11) provide therapy services as determined by the students' treatment
8 plan; and

9 (12) maintain the treatment plan and necessary treatment protocols
10 required by the ~~community mental health center~~ **mental health**
11 **intervention team provider**.

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

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

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

22 (3) participate in the treatment planning process;

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

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

28 (6) maintain the treatment plan and necessary treatment protocols
29 required by the ~~community mental health center~~ **mental health**
30 **intervention team provider**;

31 (7) make referrals to appropriate community resources;

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

34 (9) help families negotiate barriers to treatment; and

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

37 Sec. 5. (a) There is hereby established in each school district a fund
38 called the mental health intervention team program fund. All moneys
39 received by a school district for the mental health intervention team
40 program grant or the ~~community mental health center~~ **mental health**
41 **intervention team provider** pass-through grant awarded pursuant to
42 section 3, and amendments thereto, shall be credited to the the mental
43 health intervention team program fund. Moneys in such fund shall be used

1 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~~ **mental health intervention team provider** in an amount equal to
7 the ~~community mental health center~~ **mental health intervention team**
8 **provider** pass-through grant received by the school district.

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

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

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