

# HOUSE BILL No. 1322

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 12-7-2; IC 12-28.

**Synopsis:** Mental and behavioral health matters. Requires the office of the secretary of family and social services (office) to lead a statewide mental health initiative to provide support and guidance for schools regarding mental and behavioral health. Requires the office to: (1) select one or more universal screening tools for recommended use in identifying students who are at risk or in need of intervention related to mental and behavioral health disorders; (2) provide guidance and information to schools in the recommended administration of the universal screening tools and establishing support teams; and (3) post the guidance and information on the office's Internet web site. Establishes the mental health advisory committee to advise the office on certain matters regarding the statewide mental health initiative. Requires the office to recommend and distribute information regarding a preferred mental health response model.

**Effective:** July 1, 2020.

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## McNamara, Cook

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January 14, 2020, read first time and referred to Committee on Public Health.

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Second Regular Session of the 121st General Assembly (2020)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2019 Regular Session of the General Assembly.

## HOUSE BILL No. 1322

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 12-7-2-35, AS AMENDED BY P.L.184-2017,  
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2020]: Sec. 35. (a) "Committee", for purposes of IC 12-15-33,  
4 has the meaning set forth in IC 12-15-33-1.

5 (b) "Committee", for purposes of IC 12-28-6, has the meaning  
6 set forth in IC 12-28-6-1.

7 SECTION 2. IC 12-7-2-143.2 IS ADDED TO THE INDIANA  
8 CODE AS A NEW SECTION TO READ AS FOLLOWS  
9 [EFFECTIVE JULY 1, 2020]: Sec. 143.2. "PREPaRE", for purposes  
10 of IC 12-28-7, has the meaning set forth in IC 12-28-7-1.

11 SECTION 3. IC 12-7-2-151.5 IS ADDED TO THE INDIANA  
12 CODE AS A NEW SECTION TO READ AS FOLLOWS  
13 [EFFECTIVE JULY 1, 2020]: Sec. 151.5. "PsySTART", for  
14 purposes of IC 12-28-7, has the meaning set forth in IC 12-28-7-2.

15 SECTION 4. IC 12-7-2-169.9 IS AMENDED TO READ AS  
16 FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 169.9. (a) "School", for  
17 purposes of IC 12-14-2-23, has the meaning set forth in



- 1 IC 12-14-2-23(b).  
 2 (b) "School", for purposes of IC 12-28-6, has the meaning set  
 3 forth in IC 12-28-6-2.  
 4 SECTION 5. IC 12-28-6 IS ADDED TO THE INDIANA CODE AS  
 5 A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY  
 6 1, 2020]:  
 7 **Chapter 6. Mental and Behavioral Health in Schools**  
 8 **Sec. 1. As used in this chapter, "committee" means the mental**  
 9 **health advisory committee established by section 5 of this chapter.**  
 10 **Sec. 2. As used in this chapter, "school" means:**  
 11 (1) a school maintained by a school corporation;  
 12 (2) a charter school; or  
 13 (3) an accredited nonpublic school.  
 14 **Sec. 3. The office of the secretary shall lead a statewide mental**  
 15 **health initiative to provide support and guidance to schools**  
 16 **regarding mental and behavioral health.**  
 17 **Sec. 4. The office of the secretary shall do the following:**  
 18 (1) Evaluate available universal screening tools used to  
 19 identify students who are at risk or in need of intervention  
 20 related to mental and behavioral health disorders.  
 21 (2) Select one (1) or more universal screening tools described  
 22 in subdivision (1) for recommended use in schools.  
 23 (3) Provide guidance and information to schools regarding the  
 24 following:  
 25 (A) The recommended administration of the universal  
 26 screening tool or tools selected under subdivision (2).  
 27 (B) Establishing a support team that would:  
 28 (i) assist schools with implementing a multitiered  
 29 approach of providing support and services for students  
 30 with mental and behavioral health disorders; and  
 31 (ii) enlist the support and advice from experts in the  
 32 field, which may include school administrators,  
 33 counselors, psychologists, social workers, special  
 34 education staff, parents, and teachers.  
 35 (4) Post the guidance and information described in  
 36 subdivision (3) on the office's Internet web site.  
 37 (5) Make the guidance and information described in  
 38 subdivision (3) available to the public through methods  
 39 generally used by the office of the secretary.  
 40 **Sec. 5. (a) The mental health advisory committee is established.**  
 41 **(b) The committee consists of the following members:**  
 42 (1) The secretary or the secretary's designee.



- 1           **(2) The state superintendent of public instruction or the**  
 2           **superintendent's designee (before January 11, 2021) or the**  
 3           **secretary of education or the secretary's designee (after**  
 4           **January 10, 2021).**
- 5           **(3) The commissioner of the state department of health or the**  
 6           **commissioner's designee.**
- 7           **(4) The director of the division of mental health and addiction**  
 8           **or the director's designee.**
- 9           **(5) The executive director of the department of homeland**  
 10          **security or the executive director's designee.**
- 11          **(6) The superintendent of the Indiana state police department**  
 12          **or the superintendent's designee.**
- 13          **(7) The executive director of the Indiana criminal justice**  
 14          **institute or the executive director's designee.**
- 15          **(8) One (1) member who is a representative of the Indiana**  
 16          **sheriff's association.**
- 17          **(9) One (1) member who is a representative of a statewide**  
 18          **mental health advocacy organization.**
- 19          **(10) One (1) member who is a representative of a statewide**  
 20          **mental health provider organization.**
- 21          **(11) One (1) member who is a superintendent of a school**  
 22          **corporation.**
- 23          **(12) One (1) member who is a school administrator.**
- 24          **(13) One (1) member who is a school counselor.**
- 25          **(14) One (1) member who is a school psychologist.**
- 26          **(15) One (1) member who is a licensed social worker.**
- 27          **(16) One (1) member who is a licensed teacher.**
- 28          **(17) One (1) member who is a licensed teacher who teaches in**  
 29          **special education.**
- 30          **(18) A parent of a student.**
- 31          **(c) The members under subsection (b)(8) through (b)(18) shall**  
 32          **be appointed by the governor.**
- 33          **(d) If a vacancy occurs on the committee, the appointing**  
 34          **authority that appointed the member whose position is vacant shall**  
 35          **appoint an individual to fill the vacancy.**
- 36          **(e) The secretary or the secretary's designee shall serve as the**  
 37          **chairperson of the committee. The committee shall meet upon the**  
 38          **call of the chairperson.**
- 39          **(f) The affirmative votes of a majority of the voting members**  
 40          **appointed to the committee are required for the committee to take**  
 41          **action.**
- 42          **(g) A member of the committee is not entitled to per diem or**



1 reimbursement of travel or other expenses.

2 (h) The division of mental health and addiction shall provide  
3 staff for the committee.

4 (i) This section expires July 1, 2023.

5 Sec. 6. (a) The committee shall advise the office of the secretary  
6 on the following:

7 (1) The development of interagency response to promote  
8 whole child development, including promoting resilience and  
9 self-efficacy and addressing the needs of students impacted by  
10 toxic stress.

11 (2) The development of interdisciplinary violence prevention  
12 recommendations, technical assistance, and policies for local  
13 communities, organizations, governments, and schools.

14 (3) The funding, staffing, training, and resources needed to  
15 implement effective mental health programming models  
16 statewide.

17 (b) This section expires July 1, 2023.

18 SECTION 6. IC 12-28-7 IS ADDED TO THE INDIANA CODE AS  
19 A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY  
20 1, 2020]:

21 **Chapter 7. Information Regarding a Behavioral Health Crisis**  
22 **Assessment**

23 **Sec. 1. As used in this chapter, "PREPaRE" refers to school**  
24 **crisis prevention and intervention training curriculum developed**  
25 **by the National Association of School Psychologists.**

26 **Sec. 2. As used in this chapter, "PsySTART" refers to the**  
27 **psychological simple triage and rapid treatment system used to**  
28 **assess needs during a behavioral health crisis or traumatic event.**

29 **Sec. 3. (a) The office of the secretary shall:**

30 (1) recommend:

31 (A) PsySTART;

32 (B) PREPaRE; or

33 (C) another similar behavioral health crisis assessment, as  
34 selected by the office of the secretary; and

35 (2) collect and distribute information regarding PsySTART,  
36 PREPaRE, or another behavioral health crisis assessment  
37 selected under subdivision (1)(C);

38 as the preferred mental health response model to communities in  
39 Indiana.

40 (b) The office of the secretary shall:

41 (1) post the recommendation and information described in  
42 subsection (a) on the office of the secretary's Internet web



1           **site; and**  
2           **(2) make the recommendation and information described in**  
3           **subsection (a) available to the public through methods**  
4           **generally used by the office of the secretary.**

