

HOUSE BILL 2351

By Johnson G

AN ACT to amend Tennessee Code Annotated, Title 33
and Title 49, relative to the temporary youth
mental health service program.

WHEREAS, the General Assembly hereby finds, determines, and declares that this act
is necessary for the immediate preservation of the public peace, health, or safety; now,
therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 33, Chapter 8, is amended by adding
the following as a new part:

33-8-401.

As used in this section, unless the context otherwise requires:

(1) "Department" means the department of mental health and substance abuse
services;

(2) "Portal" means a website or web-based application that facilitates the
program;

(3) "Program" means the temporary youth mental health service program
established in this part;

(4) "Provider" has the same meaning as "qualified mental health professional,"
as defined in § 33-1-101;

(5) "Telehealth" has the same meaning as defined in § 56-7-1002; and

(6) "Youth" means a person who is younger than eighteen (18) years of age.

33-8-402.

(a) There is established within the department the temporary youth mental health service program to facilitate access to mental health services, including substance use disorder services, for youth regarding mental health needs identified in mental health screenings through the portal, including needs that have resulted from the COVID-19 pandemic.

(b) A provider shall maintain client confidentiality in accordance with title 68, chapter 11, part 15.

(c) The department shall reimburse a provider in the program for a maximum of three (3) sessions per youth client, conducted in person or by telehealth. The department may reimburse a provider for additional sessions. To be eligible for reimbursement from the program, a provider must be available to provide a minimum of three (3) mental health sessions to each youth.

(d) The department shall use available funds from the kindergarten through grade twelve (K-12) mental health trust fund, pursuant to § 49-3-501, to fund the program.

33-8-403.

(a) The department shall:

(1) Develop a process consistent with the requirements of this part for providers to apply for and demonstrate eligibility to receive reimbursement from the program;

(2) Determine a reasonable rate of reimbursement for each mental health session with a youth client in which the rate must be the same regardless of whether the appointment is conducted in-person or by telehealth; and

(3) Implement a statewide public awareness and outreach campaign about the program. The general assembly encourages the department to involve

schools, neighborhood youth organizations, healthcare providers, faith-based organizations, and any other community-based organizations that interact with youth on the local level in disseminating information about the program.

(b) The department may promulgate rules to effectuate this part. The rules must be promulgated pursuant to the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

33-8-404.

(a) No later than August 1, 2024, the department shall enter into an agreement with a vendor to create or use an existing website or web-based application as a portal available to youth and providers to facilitate the program.

(b) The portal must:

(1) Serve as a platform for age-appropriate mental health screenings to determine if a youth may benefit from mental health support;

(2) Allow providers to register and share in-person or telehealth appointment availability;

(3) Connect youth with providers who accept the youth's insurance or payment source that may cover the costs of ongoing mental health treatment, if the youth has insurance or a payment source; and

(4) Allow a youth to schedule a telehealth appointment and allow for in-person appointments when available, regardless of whether the youth has insurance or another payment source.

33-8-405.

(a) By July 1, 2025, the department shall report to the chair of the senate health and welfare committee and the chair of the house of representatives health committee regarding the number of youths who have received services under the program,

excluding any personally identifiable information to retain confidentiality; information in the aggregate about the services provided to youth under the program; and other relevant information regarding the program.

(b) This part is repealed on July 1, 2025.

SECTION 2. Tennessee Code Annotated, Section 49-3-502(11), is amended by deleting the language "for allocation and distribution, in consultation with the department of education, but such funds must be expended only" and substituting instead the following:

to be expended for the temporary youth mental health service program established in title 33, chapter 8, part 4, and for allocation and distribution in consultation with the department of education, to be expended for

SECTION 3. For purposes of promulgating forms and establishing policies and procedures, this act takes effect upon becoming a law, the public welfare requiring it. For all other purposes, this act takes effect July 1, 2024, the public welfare requiring it.