

1 H.323

2 Introduced by Representatives Berbeco of Winooski, Black of Essex, and
3 McFaun of Barre Town

4 Referred to Committee on

5 Date:

6 Subject: Health; mental health; education; youth mental health screenings;
7 curriculum; student peer support

8 Statement of purpose of bill as introduced: This bill proposes to establish the
9 Mental Health Innovation Special Fund for the purpose of funding various
10 programs proposed by this bill, such as the behavioral health innovation
11 program, a mental health screening program in schools, and a pilot peer-to-
12 peer mental health support program in schools. This bill further proposes a
13 mental health and substance misuse literacy curriculum.

14 An act relating to mental health programming funded by the Mental Health
15 Innovation Special Fund

16 It is hereby enacted by the General Assembly of the State of Vermont:

17 * * * Mental Health Innovation Special Fund * * *

18 Sec. 1. 18 V.S.A. § 7116 is added to read:

19 § 7116. MENTAL HEALTH INNOVATION SPECIAL FUND

1 (a) There is created the Mental Health Innovation Special Fund, a special
2 fund established and managed pursuant to 32 V.S.A. chapter 7, subchapter 5
3 and administered by the Department. The Mental Health Innovation Special
4 Fund shall consist of:

5 (1) all revenues raised by the Department of Taxes pursuant to 32
6 V.S.A. § 5862g; and

7 (2) monies received from public and private sources, including, gifts,
8 grants, donations, bequests, contributions of cash or securities, contributions of
9 property in kind from persons or governmental, nongovernmental, quasi-
10 governmental, or local government entities.

11 (b) Monies in the Mental Health Innovation Special Fund shall be utilized
12 exclusively for the mental health screening program established in 16 V.S.A.
13 § 1433, the behavioral health innovation grant program established in section
14 7115 of this title, and any other program or service specified in statute.

15 (c) Revenues deposited in the Mental Health Innovation Special Fund that
16 are unexpended at the end of the fiscal year shall not revert to the General
17 Fund and shall be available for expenditure in the following fiscal year.

18 Sec. 2. 32 V.S.A. § 5862g is added to read:

19 § 5862g. MENTAL HEALTH INNOVATION SPECIAL FUND CHECKOFF

20 (a) Returns filed by individuals shall include, on a form prescribed by the
21 Commissioner of Taxes, an opportunity for the taxpayer to designate funds to

1 the Mental Health Innovation Special Fund established under 18 V.S.A.
2 § 7116.

3 (b) Amounts designated under subsection (a) of this section shall be
4 deducted from refunds due to, or overpayment made by, the designating
5 taxpayer. All amounts so designated and deducted shall be deposited in an
6 account by the Commissioner of Taxes for payment to the Mental Health
7 Innovation Special Fund. If at any time after the payment of amounts
8 designated to the account it is determined that the taxpayer was not entitled to
9 all or any part of the amount designated, the Commissioner may assess, and the
10 account shall then pay to the Commissioner, the amount received, together
11 with interest at the rate prescribed by section 3108 of this title, from the date
12 the payment was made until the date of repayment.

13 (c) The Commissioner of Taxes shall:

14 (1) explain to taxpayers the purpose of the Mental Health Innovation
15 Special Fund and how to contribute to it; and

16 (2) provide notice regarding how to obtain a copy of the annual income
17 and expense report for the Mental Health Innovation Special Fund.

18 (d) If amounts paid with respect to a return are insufficient to cover both
19 the amount owed on the return under this chapter and the amount designated as
20 a contribution to the Mental Health Innovation Special Fund, the payment shall

1 first be applied to the amount owed on the return under this chapter and the
2 balance, if any, shall be deposited in the Special Fund.

3 (e) Nothing in this section shall be construed to require the Commissioner
4 to collect any amount designated as a contribution to the Mental Health
5 Innovation Special Fund.

6 * * * Behavioral Health Innovation Grant Program * * *

7 Sec. 3. 18 V.S.A. § 7115 is added to read:

8 § 7115. BEHAVIORAL HEALTH INNOVATION GRANT PROGRAM

9 (a) To the extent funds permit, the Agency of Human Services shall
10 establish and administer a behavioral health innovation grant program to
11 support qualified care providers working in the mental health and substance
12 misuse treatment fields using available monies from the Mental Health
13 Innovation Special Fund established in section 7116 of this title. Grants issued
14 by the Agency in accordance with this section shall enhance innovation in the
15 workforce and foster quality improvements among qualified care providers.

16 (b) The Agency shall accept applications for a behavioral health innovation
17 grant in a format prescribed by the Agency in rule on a rolling basis beginning
18 on January 1, 2026. In awarding grants pursuant to this section, priority shall
19 be given to applications proposing to:

20 (1) develop or expand youth and school-based services;

21 (2) improve workforce development, training, and education;

1 (3) increase technical assistance to implement best practices;

2 (4) pilot promising, emerging best practices; or

3 (5) pilot workforce retention incentives.

4 (c) Annually on December 15, the Agency shall submit a report on the
5 expenditures of the behavioral health innovation grant program established in
6 this section to the House Committees on Health Care and on Human Services
7 and to the Senate Committee on Health and Welfare. Specifically, the report
8 shall address:

9 (1) the revenue credited to the Mental Health Innovation Special Fund;

10 (2) the amount of fund expenditures attributable to administrative costs;

11 (3) an itemized list of the funds expended through the grant process and
12 a description of the grantee activities; and

13 (4) the effectiveness of the activities funded through the program
14 established in this section.

15 (d) The Agency shall adopt rules pursuant to 3 V.S.A. chapter 25 for the
16 purpose of administering the program established in this section.

17 (e) As used in this section, “qualified care provider” means an individual
18 licensed as a psychologist pursuant to 26 V.S.A. chapter 55, an individual
19 licensed as an alcohol and drug abuse counselor pursuant to 26 V.S.A. chapter
20 62, an individual licensed as a clinical mental health counselor pursuant to 26
21 V.S.A. chapter 65, an individual licensed as a psychoanalyst pursuant to 26

1 V.S.A. chapter 77, or an organization accredited by a national accrediting
2 entity to provide mental health or substance misuse treatment in the State.

3 Sec. 4. APPROPRIATION; BEHAVIORAL HEALTH INNOVATION
4 GRANT PROGRAM

5 In fiscal year 2026, \$10,000.00 is appropriated from the General Fund for
6 the behavioral health innovation grant program established in 18 V.S.A.
7 § 7115. It is the intent of the General Assembly that the behavioral health
8 innovation grant program shall be funded by the Mental Health Innovation
9 Special Fund established in 18 V.S.A. § 7116 in future fiscal years.

10 * * * Mental Health and Substance Misuse Literacy * * *

11 Sec. 5. 16 V.S.A. § 914 is added to read:

12 § 914. MENTAL HEALTH AND SUBSTANCE MISUSE LITERACY

13 (a) The Agency of Education, in collaboration with the Departments of
14 Health and of Mental Health, shall select a curriculum to increase awareness
15 about mental health and substance misuse challenges facing youth throughout
16 the State. The curriculum shall include age-appropriate information on:

17 (1) the connection and importance of mental health to an individual's
18 physical health and overall well-being;

19 (2) resources and tools for maintaining mental wellness, including
20 evidence-based practices used to overcome mental health and substance misuse
21 challenges;

1 (3) signs and symptoms of common mental health and substance misuse
2 challenges and strategies for responding to those signs and symptoms;

3 (4) the prevalence of mental health and substance misuse challenges
4 across all populations;

5 (5) common mental health and substance misuse conditions and
6 evidence-based treatments for common conditions; and

7 (6) how to seek assistance or support for a mental health or substance
8 misuse challenge in school and the community at large.

9 (b) The Agency shall post the selected mental health and substance misuse
10 curriculum on its website.

11 (c) The Agency shall distribute the curriculum to school districts, parents
12 and guardians, and organizations serving youth in the State.

13 * * * Mental Health Screening Program in Schools * * *

14 Sec. 6. 16 V.S.A. § 1433 is added to read:

15 § 1433. MENTAL HEALTH SCREENING PROGRAM

16 (a) As used in this subchapter:

17 (1) “Agency” means the Agency of Education.

18 (2) “Department” means the Department of Mental Health.

19 (b) The Agency, in collaboration with the Department, shall develop and
20 administer a program authorizing each supervisory union to provide or arrange
21 for the provision of evidence-based mental health screening services within the

1 schools it oversees. The mental health screening services provided pursuant to
2 this section shall be approved by the Agency, in consultation with the
3 Department. Mental health screening services provided by a supervisory union
4 shall:

5 (1) be age appropriate for each grade served;

6 (2) screen for those mental health conditions determined by the Agency
7 in rule; and

8 (3) effectively identify whether a student has a mental health condition
9 requiring intervention or treatment.

10 (c) Pursuant to 3 V.S.A. chapter 25, the State Board of Education, in
11 collaboration with the Department, shall adopt rules for the administration of
12 this program that address the following:

13 (1) the process for a supervisory union to notify the Agency of its
14 decision to participate in the mental health screening program;

15 (2) access to and use of a participating student's screening data
16 consistent with the federal Family Educational Rights and Privacy Act, 20
17 U.S.C. § 1232g and 34 C.F.R. part 99 (FERPA), and any relevant provisions of
18 State law;

19 (3) annual training requirements related to the mental health screening
20 program;

1 (4) specific mental health conditions that the mental health screening
2 services seek to identify; and

3 (5) the process and specific criteria for distribution of financial support
4 pursuant to subsection (e) of this section.

5 (d) On or before July 1 of each year, a supervisory union shall notify the
6 Agency, in a manner specified in rule, as to whether the supervisory union
7 intends to participate in the mental health screening program for the following
8 academic year. A participating supervisory union shall:

9 (1) select and seek approval from the Department regarding the mental
10 health screening services it plans to offer as part of its participation in the
11 program;

12 (2) annually notify parents and guardians with a student in the
13 supervisory union that the parent or guardian may choose to have the student
14 screened for mental health conditions;

15 (3) obtain prior written consent from a student's parent or guardian prior
16 to conducting a mental health screening in manner that complies with FERPA;

17 (4) provide or cause to be provided the approved mental health
18 screening services to participating students;

19 (5) notify parents and guardians of the results of a participating student's
20 mental health screening;

1 (6) discuss resources with the parents and guardians of a participating
2 student who screens positive for a potential mental health condition; and

3 (7) use funds distributed by the Agency for expenses related to
4 participation in the program pursuant to subsection (e) of this section,
5 including services for certain students screening positive for a mental health
6 condition.

7 (e) To the extent funds permit, the Agency shall distribute funds
8 appropriated for this purpose from the Mental Health Innovation Special Fund
9 established in 18 V.S.A. § 7116 to supervisory unions participating in the
10 mental health screening program established in this section. Of the funds
11 available for the mental health screening program, 90 percent shall be
12 distributed to participating supervisory unions based on the previous year's
13 average daily membership count and 10 percent shall be available as needed to
14 participating supervisory unions that have exhausted other funds distributed for
15 this purpose. Funds distributed pursuant to this subsection shall be used to
16 fund mental health screening services, trainings for school personnel, and for
17 those services recommended to a student screening positive for a potential
18 mental health condition when a parent or guardian does not have the financial
19 resources to provide the recommended services.

20 (f) A school employee receiving training pursuant to this chapter shall be
21 immune from civil or criminal liability with regard to mental health screening

1 services, unless the employee's actions constituted recklessness, gross
2 negligence, or intentional misconduct.

3 (g) Annually on July 1, the Agency, in collaboration with the Department,
4 shall submit a report to the House Committee on Health Care and to the Senate
5 Committee on Health and Welfare describing:

6 (1) the number of participating students who received a mental health
7 screening pursuant to this section during the previous school year;

8 (2) the number of participating students referred to additional services or
9 for whom intervention was required;

10 (3) how funds distributed to participating supervisory unions were used;
11 and

12 (4) whether the distributed funds were sufficient to meet supervisory
13 union needs under this section.

14 Sec. 7. APPROPRIATION; MENTAL HEALTH SCREENING PROGRAM

15 In fiscal year 2026, \$10,000.00 is appropriated from the General Fund for
16 the mental health screening program established in 16 V.S.A. § 1433. It is the
17 intent of the General Assembly that the mental health screening program shall
18 be funded by the Mental Health Innovation Special Fund established in 18
19 V.S.A. § 7116 in future fiscal years.

20 * * * Peer-to-Peer Mental Health Support in Schools * * *

21 Sec. 8. PEER-TO-PEER MENTAL HEALTH SUPPORT PROGRAM

1 (a) The Agency of Education, in collaboration with the Department of
2 Mental Health, shall establish a four-year pilot program for the distribution of
3 grants that fund peer-to-peer mental health support programs in public and
4 approved independent schools. Peer-to-peer mental health support programs
5 shall enable students to provide and receive peer support and coaching from
6 other students in relation to mental health challenges. Each program shall have
7 the oversight of a certified peer support provider and guidance from a school-
8 based mental health service provider.

9 (b) The Agency of Education shall accept grant applications for peer-to-
10 peer mental health services programs on a rolling basis beginning on August 1,
11 2026. In awarding grants pursuant to this section, priority shall be given to
12 applications submitted by a public or an approved independent school that:

13 (1) propose using the grant for a peer-to-peer mental health program
14 with a suicide prevention component; or

15 (2) are located in an area of the State that has high rates of suicide or has
16 experienced a recent traumatic event.

17 (c) Certified peer support specialists and school employees assisting with a
18 peer-to-peer mental health support program that is awarded a grant pursuant to
19 this section shall receive training in the following:

20 (1) empathetic listening;

21 (2) enhancing protective mental health factors;

1 (3) recognizing and appropriately responding to risk factors and warning
2 signs associated with mental health and substance misuse challenges, including
3 co-occurring challenges;

4 (4) connecting students with professional mental health services and
5 recovery supports, as necessary; and

6 (5) any other areas included in the National Model Standards for Peer
7 Support Certification of Substance Abuse and Mental Health Services
8 Administration.

9 (d) On or before January 1, 2030, the Agency of Education, in
10 collaboration with the Department of Mental Health, shall submit a report to
11 the House Committee on Health Care and to the Senate Committee on Health
12 and Welfare evaluating the efficacy of the program, including:

13 (1) student participation in the program;

14 (2) the efficacy of the training provided to participating certified peer
15 support specialists and school employees assisting with the program;

16 (3) the percentage of students participating in the program who reported
17 improved mental health outcomes; and

18 (4) the number of participating students connected with professional
19 mental services due to program participation.

