

BILL ANALYSIS

Senate Research Center

H.B. 3606
By: Salinas (Zaffirini)
Human Services
5/12/1999
Engrossed

DIGEST

Currently, the Texas Commission on Alcohol and Drug Abuse (commission) may not grant a facility treatment license to an alternative education program administered by a school. The prohibition, however, serves as an obstacle to schools seeking to provide drug abuse counseling for students assigned to alternative education programs. H.B. 3606 would require that an alternative education program that provides chemical dependency treatment services to be licensed by the commission, and would require a school district with an alternative education program to employ a mental health professional.

PURPOSE

As proposed, H.B. 3606 requires an alternative education program to be licensed and to be accompanied with the employment of a mental health professional.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 37.008(k), Education Code, to provide that an alternative education program that provides chemical dependency treatment services must be licensed under Chapter 464, Health and Safety Code (Facilities Treating Alcoholics and Drug-Dependent Persons).

SECTION 2. Amends Chapter 464A, Health and Safety Code, by adding Section 464.020, as follows:

Sec. 464.020. **ADDITIONAL REQUIREMENTS FOR ALTERNATIVE EDUCATION TREATMENT PROGRAMS.** Authorizes an alternative education program to apply for a license in order to offer chemical dependency treatment services. Requires the board of trustees of a school district with an alternative education program to employ a mental health professional to provide the services authorized by the license. Prohibits the Texas Commission on Alcohol and Drug Abuse from issuing a license that authorizes an alternative education program to provide detoxification or residential services. Authorizes the board to contract with a private treatment facility to provide chemical dependency treatment services. Prohibits the contract from permitting the services from being provided at a site that offers detoxification or residential services. Provides that Section 164.006, Health and Safety Code (Soliciting and Contracting with Certain Referral Sources), applies to the contract.

SECTION 3. Amends Section 164.006, Health and Safety Code, to prohibit a treatment facility from entering into a contract with the board of the trustees of a school district with an alternative education program under Section 464.020 or with the board's designee, for the provision of chemical dependency treatment services.

SECTION 4. Provides that this Act applies beginning with the 1999-2000 school year.

SECTION 5. Emergency clause.
Effective date: upon passage.