

BILL ANALYSIS

Senate Research Center
87R20020 MM-F

C.S.S.B. 1521
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Higher Education
4/21/2021
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Mental health on college campuses remains a largely unexplored problem. A 2013 study conducted by the American Psychological Association found that 95 percent of college counseling center directors surveyed said that they believe that the number of students with significant psychological concerns is growing. The study also found that 41.6 percent of college students struggle with anxiety, 46.4 percent with depression, and 35.8 percent with relationship issues. These are alarming figures on their own, but do not factor in increased social isolation caused by the COVID-19 pandemic, increased use of remote instruction (during the pandemic or otherwise), and the ever-expanding role of social media in shaping personal relationships and interactions.

The International Association of Counseling Services recommends that college counseling centers retain one full-time professional per 1,000-1,500 students. By that metric, it is a near certainty that every campus in Texas is understaffed, leading to unavailable assistance, long wait times, and limited capacity for referral.

What is most glaring about this issue, however, is how little is really known. No comprehensive review has been done to establish the relative, general mental health capacities and needs of Texas colleges and universities, let alone the ability of these institutions to meet specific needs of students at higher risk for mental health crises.

S.B. 1521 would establish a mental health task force at the Texas Higher Education Coordinating Board to study mental health resources provided at institutions of higher education in Texas. The task force would research the capacity of institutions of higher education to identify and address the mental health needs of students, identify structural barriers that directly impact student mental health and wellbeing, and explore innovative and effective approaches to meeting student mental health needs.

The committee substitute did three things:

- (1) Changed "structural barriers" in Section 51.91931(b)(2), Education Code, to "institutional, environmental, and social barriers";
- (2) Increased the number of on-campus providers on the task force from one to two and added psychologists to the list of occupations; and
- (3) Added gifts and grants language.

C.S.S.B. 1521 amends current law relating to creating a mental health task force to study mental health services provided at institutions of higher education.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter Z, Chapter 51, Education Code, by adding Section 51.91931, as follows:

Sec. 51.91931. COLLABORATIVE TASK FORCE ON HIGHER EDUCATION MENTAL HEALTH SERVICES. (a) Defines "coordinating board," "institution of higher education," and "task force."

(b) Provides that the Collaborative Task Force on Higher Education Mental Health Services (task force) is established to study and evaluate mental health services provided at institutions of higher education directly to students enrolled at the institution. Requires the task force to:

(1) research the capacity of institutions of higher education to identify and address the mental health needs of students, including for each institution:

(A) performing an equity analysis of the provision of services at the institution, including analyzing the number of mental health providers on campus, the length of time a student must wait for an appointment, partner referrals, length of treatment, and the types of services provided;

(B) the mental health provider-to-student ratios;

(C) the number of community partnerships and referrals for inpatient or outpatient mental health treatment;

(D) the total amount of funds and the total amount of funds as a percentage of the institution's budget allocated to direct mental health support services;

(E) campus-wide needs assessment of mental health climate and student experiences accessing mental health care; and

(F) staff and faculty mental health training opportunities, such as mental health first aid and suicide prevention initiatives, as well as staff and faculty opportunities to receive mental health care;

(2) identify institutional, environmental, and social barriers that directly impact student mental health and well-being; and

(3) explore innovative and effective approaches to meeting the mental health needs of students, with specific focus on first generation college students, students of color, economically disadvantaged students, students who are parents, students of various sexual orientations, survivors of sexual assault, students who are immigrants, students who are or were previously in the conservatorship of the Department of Family and Protective Services, and students from rural communities, including:

(A) stigma reduction and awareness initiatives;

(B) peer support initiatives;

(C) action plans based on campus assessment;

(D) recruiting and retaining counseling staff of color;

(E) telehealth accessibility and expansion; and

(F) addressing trauma and cultivating resiliency.

(c) Provides that the task force is composed of the commissioner of higher education (commissioner) or the commissioner's designee, certain additional members appointed by the commissioner, and, for any other entity the task force considers necessary, one person appointed by the task force for each such entity.

(d) Requires persons appointed to serve on the task force to be selected to represent the racial, ethnic, and socioeconomic diversity of Texas.

(e) Provides that Chapter 2110 (State Agency Advisory Committees), Government Code, does not apply to the task force.

(f) Provides that the commissioner is designated as the interim presiding officer for purposes of calling and conducting the initial meeting of the task force.

(g) Provides that the task force is required to at its initial meeting select a presiding officer from among its members for the purpose of calling and conducting meetings and is authorized to select an assistant presiding officer and a secretary from among its members.

(h) Prohibits a member of the task force from receiving compensation or reimbursement for service on the task force.

(i) Requires the task force, after its initial meeting, to meet at least twice each year at a time and place determined by the presiding officer. Authorizes the task force to meet at other times the task force considers appropriate. Authorizes the presiding officer to call a meeting on the presiding officer's own motion.

(j) Authorizes the task force to meet by teleconference.

(k) Requires the commissioner to designate one institution of higher education with experience in evaluating mental health services to serve as the lead institution for the task force. Requires the institution designated under this subsection to provide faculty, staff, and administrative support services to the task force as determined necessary by the task force.

(l) Requires the commissioner to designate two institutions of higher education with experience in evaluating mental health services to assist the task force and the lead institution.

(m) Requires the commissioner, in making a designation under Subsections (k) and (l), to give preference to at least one predominantly black institution, as defined by 20 U.S.C. Section 1067q(c)(9).

(n) Requires the Texas Higher Education Coordinating Board (THECB) to maintain the data collected by the task force and the work product of the task force.

(o) Requires the task force to ensure that data gathered, information studied, and evaluations conducted under this section:

(1) are collected and maintained in compliance with federal law regarding confidentiality of student medical or educational information, including the Health Insurance Portability and Accountability Act of 1996 (42 U.S.C. Section 1320d et seq.) and any state law relating to the privacy of student or health information; and

(2) is prohibited from being shared with a federal agency or state agency, except as otherwise provided by law.

(p) Authorizes THECB to accept gifts, grants, or donations on behalf of the task force to carry out the task force's duties under this section.

(q) Requires the task force, not later than December 1, 2024, to submit to the governor, the lieutenant governor, the speaker of the Texas House of Representatives, and THECB a report of the results of the task force's activities conducted under this section and any recommendations for legislative or other action.

(r) Provides that the task force is abolished and this section expires September 1, 2025.

SECTION 2. Effective date: September 1, 2021.