


## MEMORANDUM

<b>DATE</b>	April 27, 2018
<b>TO</b>	Board of Psychology
<b>FROM</b>	 Cherise Burns Central Services Manager
<b>SUBJECT</b>	Agenda Item #21(b)(2)(G) – AB 2022 (Chu) Pupil Health: Mental Health Professionals

**Background:**

AB 2022 (Chu) would require that, on or before December 31, 2021, each public school or charter school have at least one mental health professional for every 600 pupils that is generally accessible to pupils during school hours. This bill also proposes that funding for these positions would come from Medi-Cal reimbursement and Proposition 64 funds. This bill would define “mental health professional” as follows:

“(A) An individual who holds a services credential with a specialization in pupil personnel services as described in Section 44266 that authorizes the individual to perform school counseling, school psychology, or school social work.

(B) An individual who holds a services credential with a specialization in health for a school nurse as described in Section 44267.5.

(C) A professional licensed by the State of California to provide mental health services, including, but not limited to, psychologists, marriage and family therapists, and clinical counselors.”

**Location:** 4/26/2018 Assembly Committee on Appropriations

**Status:** 4/25/2018 From committee: Do pass. Re-referred to Assembly Committee on Appropriations.

**Votes:** 4/11/2018 Assembly Committee on Education (6-0-1)  
 4/24/2018 Assembly Committee on Health (11-2-2)

**Action Requested:**

The Policy and Advocacy Committee recommends the Board watch AB 2022 (Chu) due to its potential to increase access to mental health services for children.

Attachment A: AB 2022 (Chu) Bill Text



**AB-2022 Pupil health: mental health professionals.** (2017-2018)

**SECTION 1.** *The Legislature finds and declares all of the following:*

*(a) In 2014, an estimated 22.5 million Americans 12 years of age or older reported needing treatment for a substance use disorder, and 11.8 million adults reported needing mental health treatment.*

*(b) Mental health disorders and substance use disorders share some underlying causes, including changes in brain composition, genetic vulnerabilities, and early exposure to stress or trauma.*

*(c) Fifty-seven percent of Californian children have experienced trauma.*

*(d) Research shows that people with mental health issues are at a higher risk of a substance use disorder.*

*(e) Early intervention and prevention of mental health and substance use disorders are critical to Californians' behavioral and physical health.*

*(f) Three hundred thousand Californian children four to 11 years of age, inclusive, have mental health needs, but over 70 percent never receive treatment.*

*(g) For youth in poverty or with non-English-speaking parents, over 80 percent never receive treatment for their mental health needs.*

*(h) Both mental health issues and substance use disorders can lead to absenteeism, suspensions, and dropping out of school at an early age.*

*(i) Schools have been identified as the optimal place to provide mental health services and improve access to mental health services for pupils, especially pupils of color and pupils in historically underserved communities.*

**SEC. 2.** *Section 49428 is added to the Education Code, to read:*

**49428.** *(a) On or before December 31, 2021, a school of a school district or county office of education and a charter school shall have at least one mental health professional for every 600 pupils generally accessible to pupils on campus during school hours. On or before December 31, 2021, a school of a school district or county office of education and a charter school with fewer than 600 pupils shall do one of the following:*

*(1) Have at least one mental health professional generally accessible to pupils on campus during school hours.*

*(2) Employ at least one mental health professional to provide services to pupils at multiple schools.*

*(3) Enter into a memorandum of understanding with a county agency or community-based organization for at least one mental health professional employed by the agency or organization to provide services to pupils.*

*(b) The role of a mental health professional required pursuant to this section shall include, but is not limited to, all of the following:*

*(1) Providing individual and small group counseling supports to individual pupils as well as pupil groups to address social-emotional and mental health concerns.*

*(2) Facilitating collaboration and coordination between school and community providers to support pupils and their families by assisting families in identifying and accessing additional mental health services within the community as needed.*

*(3) Promoting school climate and culture through evidence-informed strategies and programs by collaborating with school staff to develop best practices for behavioral health management and classroom climate.*

(4) *Providing professional development to staff in diverse areas, including, but not limited to, behavior management strategies, mental health support training, trauma-informed practices, and professional self-care.*

(c) *A mental health professional required pursuant to this section who does not hold a services credential with a specialization in pupil personnel services as described in Section 44266 or a services credential with a specialization in health for a school nurse as described in Section 44267.5 shall work with pupils only under the supervision of an individual who holds a services credential with a specialization in pupil personnel services as described in Section 44266 or with a specialization in administrative services as described in Section 44270.2.*

(d) *A school may employ community mental health workers, cultural brokers, or peer providers to supplement the services provided by mental health professionals if they have a current certificate of clearance from the Commission on Teacher Credentialing and are supervised in their school-based activities by an individual who holds a services credential with a specialization in pupil personnel services as described in Section 44266 or with a specialization in administrative services as described in Section 44270.2.*

(e) (1) *A school of a school district or county office of education and a charter school with pupils who are eligible to receive Medi-Cal benefits shall do both of the following:*

(A) *Seek reimbursement, to the extent applicable, through the Local Educational Agency Medi-Cal Billing Option for services provided pursuant to this section.*

(B) *Seek reimbursement, to the extent applicable, through the School-Based Medi-Cal Administrative Activities program for administrative costs related to providing services pursuant to this section.*

(2) (A) *Moneys from the Youth Education, Prevention, Early Intervention and Treatment Account established by paragraph (1) of subdivision (f) of Section 34019 of the Revenue and Taxation Code shall be appropriated to the State Department of Health Care Services, for transfer to the department for allocation to schools of school districts or county offices of education and charter schools to implement this section, for each fiscal year beginning with the 2019–20 fiscal year. Any moneys that are not fully expended in a single fiscal year shall be available for purposes of implementing this section in any one of, or across one or more of, subsequent fiscal years.*

(B) *The State Department of Health Care Services shall transfer the moneys appropriated in subparagraph (A) to the department upon determining that services provided pursuant to this section constitute purposes for which the use of moneys from the Youth Education, Prevention, Early Intervention and Treatment Account is authorized.*

(3) *Costs of implementing this section that are reimbursed in accordance with paragraph (1) shall not be funded by the moneys appropriated in subparagraph (A) of paragraph (2).*

(f) (1) *This section does not alter the scope of practice for any mental health professional in a manner that is not authorized pursuant to existing law.*

(2) *This section does not authorize the delivery of mental health services in a setting or in a manner that is not authorized pursuant to existing law.*

(g) *For purposes of this section, the following terms have the following meanings:*

(1) *“Community mental health workers” or “cultural brokers,” known as “promotores de salud” in Spanish, means frontline public health workers with behavioral health training who work for pay or as volunteers in association with the local health care systems and usually share ethnicity, language, socioeconomic status, or life experiences with the pupils they serve. Community mental health workers sometimes offer interpretation and translation services and culturally appropriate health education and information, assist pupils and family members in receiving the care they need, and give, to the extent permitted by law, informal counseling and guidance.*

(2) *“Mental health professionals” includes any of the following:*

(A) *An individual who holds a services credential with a specialization in pupil personnel services as described in Section 44266 that authorizes the individual to perform school counseling, school psychology, or school social work.*

(B) *An individual who holds a services credential with a specialization in health for a school nurse as described in Section 44267.5.*

(C) *A professional licensed by the State of California to provide mental health services, including, but not limited to, psychologists, marriage and family therapists, and clinical counselors.*

*(3) "Peer provider" means a person who draws on lived experience with mental illness or a substance use disorder and recovery, bolstered by specialized training, to deliver valuable support services in a mental health setting. Peer providers may include people who have lived experience as clients, family members, or caretakers of individuals living with mental illness. Peer providers offer culturally competent services that promote engagement, socialization, recovery, self-sufficiency, self-advocacy, development of natural supports, identification of strengths, and maintenance of skills learned in other support services. Services provided by peer providers include, but are not limited to, support, coaching, facilitation, or education that is individualized to the pupil.*

**SEC. 3.** *If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.*