

# Texas Counseling Association Bill Status Report

06-22-2009 - 18:47:49

A - Action in the date range  
 R - Link to Related Information  
 ( ) - Priority

Texas Counseling Association		
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HB 3	Eissler Shapiro	Relating to public school accountability, curriculum, and promotion requirements.
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<b>Companions:</b>	SB 3	Shapiro	(Identical)	5- 5-09 H Referred to House Committee on House Public Education
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<b>Remarks:</b>	HB 3 is a 178 page omnibus bill relating to changes in accountability, student testing and curriculum. TCA is still working on a thorough review of this legislation. A few highlights include: prohibits financial accountability ratings to be based on requirements that districts spend at least 65% (or any other percentage) on instruction; gives campus-level site-based decision making committees authority to limit the time spend on administering <b>locally</b> required student assessment instruments to 10 percent (or less) of the instructional days per year. School counselors are encouraged to work with their local districts for clarifications on how HB 3 will impact their work with students, their schedules and graduation plans.
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<b>Track Name(s):</b>	Education Issues
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<b>Bill History:</b>	06-19-09 G Earliest effective date
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HB 103	Brown, Fred Patrick, Dan	Relating to health benefit plans for students at institutions of higher education and the operation of certain health benefit plans through student health centers at certain institutions of higher education.
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<b>Track Name(s):</b>	Clinicians Issues, Higher Education Issues
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<b>Bill History:</b>	06-19-09 G Vetoed by the Governor
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HB 130	Patrick, Diane Zaffirini	Relating to an enhanced quality full-day prekindergarten program provided by public school districts in conjunction with community providers.
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<b>Companions:</b>	SB 21	Zaffirini	(Identical)	4-23-09 S Committee action pending Senate Education
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<b>Track Name(s):</b>	Education Issues, School Counselor Issues
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<b>Bill History:</b>	06-19-09 G Vetoed by the Governor
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HB 136	Villarreal Van de Putte	Relating to providing notification to parents of eligible children of the availability of prekindergarten classes.
<b>Companions:</b>	SB 1032 Van de Putte (Identical) 3-13-09 S Introduced and referred to committee on Senate Education	
<b>Remarks:</b>	Requires school districts to increase community awareness of the availability of prekindergarten programs in their area. Establishes district reports on communication methods and Agency evaluations and implementation of best practices. "Agency" is not specified.	
<b>Track Name(s):</b>	Education Issues	
<b>Bill History:</b>	09-01-09 G Earliest effective date	
HB 171	Olivo Gallegos	Relating to consideration of mitigating factors in determining appropriated disciplinary action to be taken against a public school student.
<b>Companions:</b>	SB 2270 Gallegos (Identical) 5-23-09 H Set on the House Calendar	
<b>Remarks:</b>	Requires Section 37.001, the Student Code of Conduct, to specify reasons for a student's suspension, removal or expulsion and states that, each time, consideration will be given regarding the self-defense of the student, their disciplinary history and/or their disability status, among others.	
<b>Track Name(s):</b>	Education Issues	
<b>Bill History:</b>	06-19-09 G Earliest effective date	
HB 192	Alonzo Van de Putte	Relating to the purposes for which a student's absence from school must be excused.
<b>Remarks:</b>	Expands excused absences for students who are participating in programs to become US citizens and to receive treatment for autism spectrum disorders.	
<b>Track Name(s):</b>	Education Issues	
<b>Bill History:</b>	06-19-09 G Earliest effective date	

HB 200	Heflin Seliger	Relating to continuing education requirements for public school principals.
	<b>Remarks:</b>	Repeals Section 21.054(b) of the Education Code that required that continuing education requirements for principals be based on individual assessments of the knowledge, skills and proficiencies needed for success as identified in Section 21.046 of the Education Code which identifies the qualifications for certification as a principal or superintendent. It did not repeal the section of the code that directs TEA to propose rules establishing a process for identifying continuing education courses that full educators continuing education requirements.
	<b>Track Name(s):</b>	Education Issues
	<b>Bill History:</b>	09-01-09 G Earliest effective date
HB 269	Lucio III Van de Putte	Relating to course credit for certain students at a public institutions of higher education.
	<b>Remarks:</b>	Allows institutions of higher education to give credit for certain military experience and training.
	<b>Track Name(s):</b>	Higher Education Issues
	<b>Bill History:</b>	06-19-09 G Earliest effective date
HB 281	Anchia West	Relating to grants for school-based health centers and reports submitted by those centers.
	<b>Remarks:</b>	Expands the list of entities that are eligible to receive grants to support school-based health centers and the services that are to be provided to school children. Does not include mental health counseling services and also excludes non-profit agencies that provide reproductive health services.
	<b>Track Name(s):</b>	Education Issues
	<b>Bill History:</b>	06-19-09 G Earliest effective date
HB 451	Allen Lucio	Relating to health benefit plan coverage for autism spectrum disorder.
	<b>Remarks:</b>	The bill requires that at a minimum, a health benefit plan must provide coverage to an enrollee who is diagnosed with autism spectrum disorder from the date of diagnosis until the enrollee is 9yrs old.
		The bills only amendment establishes the creation of an Autism Program for children ages 3-8yrs. Provided appropriated money is available for funding, the Autism Program is intended to enhance communication, social and independent living skills in student's who are diagnosed with autism spectrum disorder.
	<b>Track Name(s):</b>	Clinicians Issues

		<b>Bill History:</b> 09-01-09 G Earliest effective date
HB 492	Zerwas Deuell	Relating to the expansion of faith- and community-based health and human services and social services initiatives.
	<b>Remarks:</b>	Expands and strengthens the capacity of faith- and community-based organizations/initiatives to forge partnerships with the state government for providing charitable and social services to persons in Texas. Bill establishes liaisons and duties of liaisons.
	<b>Track Name(s):</b>	Clinicians Issues, Medicaid Issues
	<b>Bill History:</b>	05-30-09 G Earliest effective date
HB 497	Zerwas Nelson	Relating to a study to determine the effect on the health care infrastructure in this state if the state Medicaid program is abolished or a severe reduction in federal matching money under the program occurs.
	<b>Remarks:</b>	Requires a study to be conducted by Texas H&HSC the Texas Dept. of Insurance to determine effect on the current health care system in TX if the Medicare program is abolished or severely reduced. Also requires a plan be made for a new health care delivery system in the event that Medicare is abolished.
	<b>Track Name(s):</b>	Clinicians Issues, Medicaid Issues
	<b>Bill History:</b>	06-19-09 G Earliest effective date
HB 608	Castro Wentworth	Relating to posttrial psychological counseling for jurors in a criminal trial or juvenile adjudication hearing involving graphic evidence or testimony.
	<b>Companions:</b>	SB 1066 Wentworth (Identical) 4-30-09 S Withdrawn from the Local Calendar
	<b>Remarks:</b>	Establishes posttrial psychological counseling services to be offered for jurors in a criminal trial or juvenile adjudication hearing involving graphic evidence or testimony. The crime victim liaison/victim assistance coordinator may offer no more than 10 hrs of posttrial counseling no later than 180 days after the trial is dismissed.
	<b>Track Name(s):</b>	Clinicians Issues
	<b>Bill History:</b>	09-01-09 G Earliest effective date

HB 610	Naishtat Van de Putte	Relating to the establishment of the Legislative Committee on Aging and other initiatives relating to the aging population of this state.
	<b>Remarks:</b>	Requires establishment of a Legislative Committee on Aging to study issues of importance to as well as recommendations for the needs of the states' aging population. Outlines composition of the Committee as well as powers and duties. Allows for the Committee to contract with an outside entity for outreach, analysis and input. A report of findings by the Committee must be submitted to the Legislature every two years. Establishes the Chris Kyker Endowment for Seniors Fund as a special fund outside the state treasury held and managed by the comptroller.
	<b>Track Name(s):</b>	Clinicians Issues
	<b>Bill History:</b>	09-01-09 G Earliest effective date
HB 1012	Gonzalez Tourelles Harris	Relating to the conservatorship or possession of, or access to, a child in a suit affecting the parent-child relationship.
	<b>Remarks:</b>	This 46 page bills amends the Family Code to modify the Parent Coordinator Program. TCA is waiting for a complete analysis of this bill by a TCA member who worked on this legislation.
	<b>Track Name(s):</b>	Clinicians Issues
	<b>Bill History:</b>	09-01-09 G Earliest effective date
HB 1067	Naishtat Nelson	Relating to a memorandum of understanding between certain authorized entities to share suicide data that does not identify a deceased individual.
	<b>Companions:</b>	SB 1882 Nelson (Identical) 3-24-09 S Introduced and referred to committee on Senate Health and Human Services
	<b>Remarks:</b>	An "authorized entity" ie. a medical examiner, local health authority, or community mental health center, among others, may share with another authorized entity suicide data that does not name a deceased individual. The shared data may include their: date of birth, race, zip code, any school or college they were attending, the suicide method, their status as a veteran and/or the date of their death. This info can only be used for suicide prevention purposes.
	<b>Track Name(s):</b>	Clinicians Issues
	<b>Bill History:</b>	05-23-09 G Earliest effective date
HB 1232	Menendez Van de Putte	Relating to establishing a local behavioral health intervention pilot project.
	<b>Companions:</b>	SB 1197 Van de Putte (Identical) 3-13-09 S Introduced and referred to committee on Senate Health and Human Services

**Remarks:** Establishes a Local Behavioral Health Intervention Pilot Program in Bexar County to identify children who are at risk of placement in alternative settings for behavior management. The program requires written consent from parents. The program must be operated without regard to the race, color, disability, sex, age, national origin, or religion of those in the Program; and does not target/negatively impact minorities. The department may use funds for crisis prevention programs and from local school districts/criminal justice agencies, to implement the Program. The Pilot Program shall submit a report regarding all findings/recommendations.

**Track Name(s):** Clinicians Issues

**Bill History:** 09-01-09 G Earliest effective date

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HB 1240

Villarreal  
Uresti

Relating to information required to be provided to parents of an infant.

**Remarks:** A hospital, physician, etc. who provides prenatal care or delivery of an infant shall: provide the parents with a resource pamphlet including: a listing of professional organizations for postpartum counseling/assistance, info regarding the prevention of shaken baby syndrome and a listing of required state immunizations. The info shall be provided in both English and Spanish. The info shall also relate to the development, health, and safety of a child from birth until 5yrs., including selecting a health care practitioner, dental care, effective parenting, child safety, the importance of reading to a child, expected developmental milestones, health care resources available in the state and selecting appropriate child care. Funding comes from means other than appropriations, such as gifts, grants, and sales of sponsorship or advertising in the pamphlet. A report shall be submitted regarding the effectiveness of the pamphlet.

**Track Name(s):** Clinicians Issues

**Bill History:** 09-01-09 G Earliest effective date

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HB 1365

Eissler  
Shapiro

Relating to service records of professional staff employed by school districts.

**Remarks:** On request of a classroom teacher, librarian, counselor or nurse, or the school district that employs them, a school district that previously employed the individual must release the individual's service record to the school district employing that individual within 30 days after the request is made or on the date of the last day of service to the district for the purpose of properly placing the individual on the district's salary schedule.

**Track Name(s):** Education Issues

**Bill History:** 06-19-09 G Earliest effective date

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HB 2196

Truitt  
Deuell

Relating to the establishment of a workgroup to study and make recommendations on the integration of health and behavioral health services.

**Remarks:** Directs the Health and Human Services Commissioner to create a workgroup to recommend best practices in policy, training and service delivery to promote the integration of health and behavioral health services in Texas. The workgroup shall include at least 14 members, including at least one representative of: a state organization that represents community mental health and mental retardation centers; state organization that represents substance abuse providers; state associations that represent medical and behavioral health professionals; statewide organization that promotes mental health and prevention of mental disorders and advocates and educates to improve the care and treatment of people with mental illness; and others. Also included are additional members who are recognized experts in integrated health care in Texas. The workgroup must be established by October 1, 2009 and file its report no later than August 1, 2010. It also creates a Task Force For Children with Special Needs, which include children with developmental disabilities or serious mental illness, to develop a five-year plan to improve the coordination, quality and efficiency of services for these children. The Task Force is primarily composed of state agency representatives.

**Track Name(s):** Clinicians Issues

**Bill History:** 09-01-09 G Earliest effective date

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HB 3646

Hochberg  
Shapiro

Relating to public school finance and programs.

**Remarks:** This 106-page, complex, school finance bill includes a provision for salary increases for classroom teachers, full-time speech pathologists, librarians, counselors and nurses for both the 2009-2010 and 2010-2011 school years. The increases are in addition to any step increases under the district's local supplemental pay scale. This pay hike is contingent upon the state getting approval from the federal government on its plan to use \$1.9 billion in federal stimulus money for the raises. The bill also eliminates the Texas Educator Excellence Grant program and continues the District Awards for Teacher Excellence. It prohibits districts from used DATE funds for stipends for teachers with postgraduate degrees but does allow use for teacher induction and mentoring programs. School counselors are encouraged to look to their local districts to determine how this legislation will impact them and to monitor the salary increase program to ensure that, if the funds are approved by the federal government, that they receive appropriate salary increases.

**Track Name(s):** Education Issues, School Counselor Issues

**Bill History:** 09-01-09 G Earliest effective date

HB 4152	Rose Van de Putte	Relating to certification of an educator in Texas who is certified in another state or country.
<b>Companions:</b>		SB 2206 Van de Putte (Identical) 5- 1-09 S Placed on the Senate Intent Calendar for
<b>Remarks:</b>		Requires the state to accept an accredited degree/certificate from an educator who is from another state or country. The educator must pass, within one year, the exam prescribed under Section 21.048. The educator shall then be classified as an educator who is qualified in consistency with No Child Left Behind. Applicants must hold a certificate or credential in math, science, special ed, bilingual education or another area deemed by the commissioner to have a shortage of teachers.
<b>Track Name(s):</b>		School Counselor Issues
<b>Bill History:</b>		06-19-09 G Earliest effective date
HB 4451	McReynolds Hinojosa	Relating to continuity of care services or mental health commitment proceedings for youth with mental illness or mental retardation who are transferred, discharged, or paroled from the Texas Youth Commission.
<b>Remarks:</b>		Requires children who are mentally ill/retarded to be eligible to receive continuity of care services if they are discharged, transferred or paroled from TYC. They may receive continuity of care services for a min. of 90 days after discharge from TYC  . The child may not be released via pass from that alternate facility. Once the child is 17, they may continue to receive continuity of care services until completion of their parole.
<b>Track Name(s):</b>		Clinicians Issues
<b>Bill History:</b>		06-19-09 G Earliest effective date
SB 1	Ogden Pitts	General Appropriations Bill for the 2010-2011 biennium.
<b>Remarks:</b>		Includes Rider 51D that directs TEA to spend \$500,000 in General Revenue funds for the 2010-11 biennium for training high school counselors to assist students in preparation for the college enrollment process, including financial aid opportunities; and shall allocate \$1.5 million in GR for the 2010-11 biennium to develop a pilot program to provide online college preparation assistance to students, parents and high school counselors. TEA may develop online preparation tools, competitively procure online college preparation tools or any combination of the two to implement the pilot program in collaboration with the Higher Education Coordinating Board.
<b>Track Name(s):</b>		TNOYS, Clinicians Issues, Education Issues
<b>Bill History:</b>		06-19-09 G Earliest effective date

SB 90	Van de Putte Geren	Relating to adoption of the Interstate Compact on Educational Opportunity for Military Children.
	<b>Companions:</b>	HB 174 King, Susan (Identical) 2-23-09 H Rereferred to Committee on House Defense and Veteran's Affairs
	<b>Remarks:</b>	Requires the state to join the Interstate Compact on Educational Opportunity for Military Children. Facilitates a transferring student's timely enrollment, accepts the courses taken at previous schools, gives the student an opportunity to participate in extracurricular activities, provides comparable services to students with disabilities based on their current Individualized Education Program , among others.
	<b>Track Name(s):</b>	School Counselor Issues
	<b>Bill History:</b>	05-05-09 G Earliest effective date
SB 283	Nelson Shelton	Relating to the membership and activities of local school health advisory councils and to parental involvement in human sexuality instruction in public schools.
	<b>Remarks:</b>	Establishes Local School Health Advisory Councils that will comprise of at least 5 ppl; the majority of which must be parents of students enrolled in the district. The Health Advisory Council must meet 4 times per year and provide written notice of the districts intent to provide human sexuality instruction to students. If provided, the notice must include: summary of the content, state law instructional requirements and the option to remove the student from instruction without academic or disciplinary penalty.
	<b>Track Name(s):</b>	Education Issues
	<b>Bill History:</b>	09-01-09 G Earliest effective date
SB 1291	Van de Putte Martinez Fischer	Relating to access to certain counselors and therapists.
	<b>Companions:</b>	HB 4401 Martinez Fischer (Identical) 5- 5-09 H Reported from committee as substituted House Public Health
	<b>Remarks:</b>	Allows LPCs and LMFTs to be included on health insurance policies as a provider of services that are within the scope of their license. Does not require a physician's recommendation to receive care.
	<b>Track Name(s):</b>	Clinicians Issues
	<b>Bill History:</b>	09-01-09 G Earliest effective date

SB 1325	Nelson Corte	Relating to the creation of a mental health intervention program for military veterans.
	<b>Remarks:</b>	Establishes a veteran's mental health intervention program to be developed by the Department for State Health Services. The program must solicit and train volunteers to provide for peer-to-peer counseling for veterans.
	<b>Track Name(s):</b>	Clinicians Issues
	<b>Bill History:</b>	06-19-09 G Earliest effective date
SB 1557	Duncan Gallego	Relating to the early identification of criminal defendants who are or may be persons with mental illness or mental retardation.
	<b>Remarks:</b>	Establishes that a sheriff must inform a magistrate if a criminal defendant has/may have a mental illness. The defendant is to be assessed by the local mental health authority who must then submit a written assessment including assessment procedures, observations, findings and recommended treatment. If the defendant refuses the local health authority assessment, the court may order the defendant to be examined in a mental health facility. The court may also opt to use findings from a previous mental health evaluation of the defendant. Based on the outcome of the assessment, the trial court may then resume criminal proceedings, initiate competency proceedings or consider the assessment: as part of a presentence report/in connection with placement on community supervision. The court is allowed to order the defendant's assessment to stand trial. If the written assessment concludes the defendant with mental illness is competent to stand trial, mental health treatment will be recommended by the court and the appropriate services for the defendant must be made available through the TDMHMR or another mental health services provider. A defendant with a mental illness placed on community supervision may be required to submit to out/inpatient mental health treatment if their illness is chronic in nature, if their ability to function will deteriorate without mental health services or if the judge determines, in consultation with a mental health provider, that the appropriate mental health services are available for the defendant through the TDMHMR or another mental health service provider.
	<b>Track Name(s):</b>	Clinicians Issues
	<b>Bill History:</b>	09-01-09 G Earliest effective date

- End of Report -