

<b>LFC Requester:</b>	<b>Lance Chilton</b>
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**AGENCY BILL ANALYSIS  
2019 REGULAR SESSION**

**WITHIN 24 HOURS OF BILL POSTING, EMAIL ANALYSIS TO:**

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*and*

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*{Include the bill no. in the email subject line, e.g., HB2, and only attach one bill analysis and related documentation per email message}*

**SECTION I: GENERAL INFORMATION**

*{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}*

*Check all that apply:*

**Original**        **Amendment**      
**Correction**        **Substitute**   

**Date** 3/1/19  
**Bill No:** HB615HEC

<b>Sponsor:</b>	<u>House Education Committee</u>	<b>Agency Name and Code Number:</b>	<u>PED-924</u>
<b>Short Title:</b>	<u>MENTAL HEALTH TRAINING FOR EDUCATION STAFF</u>	<b>Person Writing</b>	<u>Daniel Manzano</u>
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**SECTION II: FISCAL IMPACT**

**APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY19	FY20		
NFI	\$25.0	Recurring	General

(Parenthesis ( ) Indicate Expenditure Decreases)

**REVENUE (dollars in thousands)**

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY19	FY20	FY21		
NFI	NFI	NFI	Nonrecurring	N/A

(Parenthesis ( ) Indicate Expenditure Decreases)

**ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)**

	<b>FY19</b>	<b>FY20</b>	<b>FY21</b>	<b>3 Year Total Cost</b>	<b>Recurring or Nonrecurring</b>	<b>Fund Affected</b>
<b>Total</b>	NFI	Unquantifiable	Unquantifiable	Unquantifiable	FY20/21	General

(Parenthesis ( ) Indicate Expenditure Decreases)

Relates to: Senate Bill 370, House Bill 238, and House Bill 591.

Duplicates/Relates to Appropriation in the General Appropriation Act: None known as of 2/28/19

**SECTION III: NARRATIVE**

**BILL SUMMARY**

House Education Committee Substitute for House Bill 615 (HB615hecs) enacts a temporary provision for a two-year pilot project in the Gadsden Independent School District (GISD) requiring training for all district personnel, including volunteers, in various aspects of mental health such as programs and activities related to mental health, eating disorders, suicide prevention, behavioral health disorders, safe techniques to de-escalate crisis situations, and identification of signs and symptoms of early stages of mental illness and behavioral health issues. HB615hecs also requires a training “substantially similar” to that of district personnel, be provided to the student’s families with regularity. The GISD, in consultation with the Public Education Department (PED), shall design the pilot project as outlined in the legislation. “Locally sourced” training materials will be developed with consult from the Department of Health (DOH), the Children, Youth, and Families Department (CYFD), and the Human Services Department (HSD). GISD and the PED must provide annual reports to the appropriate interim legislative body and a final report and recommendations to the governor and legislature upon completion of the project. HB615hecs provides for “no private right of action.”

**FISCAL IMPLICATIONS**

HB615hecs appropriates \$25.0 to the PED for expenditure in fiscal year 2020 and subsequent fiscal years for the provision of supplies, materials and trainers to support and effectuate the mental health training pilot project at GISD. The development of materials, in collaboration with GISD, would require specific expertise in the defined areas of mental health. The provision of supplies, materials and trainers to GISD will also require the time and effort of PED staff. HB615hecs also requires the PED (and GISD) to provide annual reports to the legislature, as well as a final report with recommendations to the governor and legislature.

At the district level, it would require new or existing staff to implement the pilot project and the training for all school personnel including “ancillary staff, instructional support providers, and volunteers” as outlined in HB615hecs. This will require the district to pay additional salary for staff paid hourly wages, such as cooks, bus drivers and janitors, to attend professional development, and this expense represents a significant, though unquantifiable, financial responsibility. Staff salaries, aside from “trainers,” are not included in the allowable expenditures outlined in the HB615hecs appropriation, and therefore, the district would need to identify funds from its budget to compensate personnel attending the required mental health training.

In addition to school personnel, HB615hec also requires similar training be provided to all

students' families in the suggested form of classes, workshops, seminars, or community health events. Each of these forms of training would likely have associated costs.

Though HB615hecs stipulates a two-year project length, the appropriation to the PED is recurring and all unexpended funds do not revert to the general fund. The appropriation will continue past the length of the pilot project.

## **SIGNIFICANT ISSUES**

The training requirement does not address a required amount of time or level of detail that must be covered in the developed materials or training. Neither is there an amount of time stipulated for the training.

According to the 2017-2018 school year Annual School Health Services Report (ASHSR), GISD reported 745 students with a documented psychiatric diagnosis (e.g., anxiety, bipolar disorder, suicidal ideation, etc.) and 50 students with eating disorders. Also, 149 students were screened for substance use and an additional 52 for depression (all depression screenings resulted in referral for follow up care). GISD's total enrollment for the 2017-2018 school year was reported at 13,685 students. Finally, according to the ASHSR, GISD had 544 visits to the school health office for emotional and mental health issues and/or crises. Furthermore, the 2017 Youth Risk and Resilience Survey (YRRS) reports 36.1% of high school students in Dona Ana County, in which GISD resides, reported feeling sadness or hopelessness, and 14.3% seriously considered suicide.

Source: <http://youthrisk.org/pdf/YRRS-2017-HS-countyreport-donaana.pdf>

The training required in HB615hecs would involve teaching district staff and volunteers about early identification of social, emotional, and behavioral problems or substance use disorders. It would also require the teaching of techniques and supports to help identify children with histories of trauma and at high risk for mental illness, as well as the use of a referral process to link them and their families to appropriate treatment in the school and community. By providing GISD staff with training in various aspects of mental health, there is likely to be more awareness and sensitivity towards students' emotional wellness and therefore a more positive social and emotional climate within the district.

Source: <https://www.cdc.gov/healthyyouth/wsccl/model.htm>

The required training outlined in HB615hecs, for the purpose of the pilot project, would also require schools to address strategies that promote a "schoolwide positive environment" and the "social, emotional, mental and behavioral health of all students." State requirements are currently in place that promote a schoolwide positive environment and overall student wellbeing. Public school districts and state charters are required to submit an annual wellness policy to the PED which addresses components of the Coordinated School Health Model (New Mexico's version of the WSCC model). The requirements for the wellness policy are outlined in 6.12.6 New Mexico Administrative Code (NMAC) and state the policy shall include "a plan addressing the behavioral health needs of all students in the educational process by focusing on students' social and emotional wellbeing." Also required by 6.12.6 NMAC is a site specific school safety plan. Ensuring student safety is adequately addressed also helps promote a "schoolwide positive environment" and the "social, emotional, mental and behavioral health of all students." Some requirements identified in HB615hecs may be a duplication of current efforts.

Source: <http://164.64.110.134/parts/title06/06.012.0006.html>

HB615hecs requires GISD to “regularly” provide opportunities for the students’ families to receive training regarding various aspects of mental health. “Regularly” is not defined with a specific frequency within HB615hec.

## **PERFORMANCE IMPLICATIONS**

None

## **ADMINISTRATIVE IMPLICATIONS**

The development of materials, in collaboration with GISD, would require the time and effort of a PED staff with specific expertise in the defined areas of mental health. This expertise may not currently exist within the department. The PED staff responsible for the requirements of HB615hecs would need to engage the identified stakeholders (DOH, CYFD, and HSD) and collaborate to develop the “locally sourced” training materials. The provision of supplies, materials and trainers to GISD will also require the time and effort of PED staff. HB615hecs also requires the PED (and GISD) to provide annual reports to the legislature, as well as a final report with recommendations to the governor and legislature.

New or existing GISD staff and/or appropriate community partners would need to be identified to implement the training required by the pilot project design for district personnel, volunteers and the community. Trainings would require event coordination and administrative burden.

## **CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

Relates to: Senate Bill 370, House Bill 238, and House Bill 591.

## **TECHNICAL ISSUES**

On page 2, line 4, legislators may wish to consider substituting the words “public school” with “Gadsden independent school district” as “all public school personnel” may imply other public schools in our state.

## **OTHER SUBSTANTIVE ISSUES**

None

## **ALTERNATIVES**

None

## **WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL**

GISD will continue to train staff on mental health as determined by local professional development plans. Current state requirements regarding students’ social and emotional wellbeing will continue.

## **AMENDMENTS**

None