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85 th Legislative Session Update	
STEPHANIE KNEEDLER	
TASP GOVERNMENT AND PROFESSIONAL RELATIONS CHAIR	
Session Summary	
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Slow moving session	
∘ \$5 billion shortfall	
° 6,631 bills filed ° 1,135 passed (17% passage rate!)	
Lowest passage rate in 20 years	
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Focus on Mental Health	
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Within the state hydget.	
Within the state budget: • \$300 million for new construction, significant repairs and increased capacity at state mental health hospitals	
capacity at state mental health hospitals	
 \$62.7 million to eliminate projected waiting lists for community mental health services for adults and children 	
 \$37.5 million for a new mental health jail diversion program 	

School	Psych	ology	Bills
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HB 627 (Gutierrez) & SB 1770 (Miles)

- Practice in private schools
- Did not pass (not heard)

HB 2357 (Cosper)

- Practice in private clinics
- Did not pass (not heard)

Practice in Private Schools and the TSBEP

- Recommended as a rule change by TSBEP
- Vote will be held by the board in August Opportunity for public comment before vote

Practice Definition Bills

SB 2001 (Watson) & HB 3266 (Coleman)

- Established practice definition
- TASP call to action
- Office refused amendment to include TASP issues
- SB2 201 was considered a "must pass" bill (including issues not heard threatened it's passage)
 Not based on the merit of the issues
- Content of SB 2001 included in <u>HB 3808</u> (loan repayment for certain mental health professionals)

 Sent to Governor

Establishes a practice definition of psychology as the observation, description, diagnosis, evaluation, assessment, interpretation, or treatment of and intervention in human behavior by applying education, training, methods, and procedures for the purpose of:

Preventing, predicting, treating, remediating, or eliminating: asymptomatic, maladaptive, or undesired behavior; emotional, interpersonal, learning, substance use, neuropsychological, cognitive, or behavioral disorders or disabilities, including those that accompany medical problems; or mental illness;

Evaluating, assessing, or facilitating, by a license holder or a person who represents the person to the public by a title or description of services that includes the word "psychological," "psychologist," or "psychology," the enhancement of individual, group, or organizational effectiveness, including evaluating, assessing, or facilitating; personal effectiveness; adaptive behavior; interpersonal relationships; academic, vocational, and life adjustment; health; or individual, group, or organizational performance;

 $Providing \ psychological, neuropsychological, and psychoeducational \ evaluation, the rapy, and \ remediation \ as \ well \ as \ counseling, \ psychoanalysis, \ psychotherapy, \ hypnosis, \ and \ biofeedback; \ or$

Consulting with others, including other mental health professionals, physicians, school personnel, or organizations within the scope of the provider's competency and training with respect to services provided for a specific individual.

Sunset E	Bil	ls
HR 2202 (Gonzales)	8, S	R -

B 3302 (Gonzales) & SB 310 (Taylor)
Sought to continue the TSBEP

- Among many other agencies regulating medicine, social work, marriage and family therapy and professional counseling
 Did not pass (no vote on HB/no hearing on SB)

Special Session Called

- Will begin July 18th Sunset bills are top priority
- Other issues the Governor wants heard (including the controversial "bathroom bill" and school choice for students in special education) following passage of Sunset bill

Su	nc	ot	D:	116
SII	ns	et	BI	HS

- If not passed

 TSBEP will stop operations
 - No longer a regulatory body for the practice of psychology No agency issuing licenses (present licenses become void)

- Call your Representative/Senator with a simple message:

 My name is Stephanic Knoeller, I am a constituent of Senator Schwertner/Representative Dale. As a licensee of the TSBEP, I support the passage of the Sunet bill at the upcoming special session.

 Include a personal detail/thought: miplications for the mental health needs of students in Texas, impact on families, etc.
- Do not email

Bills Tracked by GPR: Did Not Pass

- House Bill 3853 (Coleman)

 Availability of certain behavioral health professionals at certain public schools (LSSPs included)

 Did not pass (no vote)

- House Bill 3812 (Huberty)

 Allotment under the foundation school program for students with dyslexia or related disorders

 Did not pass (no hearing)
- Senate Bill 2154 (Taylor)

 The practice of and the billing codes used by certain mental health professionals (LMFTs, CDCs)

 Hentical House Companion Bill Sent to Governor

- House Bill 3599 (Huberty)

 Parental rights and information regarding certain intervention strategies used with public school students

 Identical Senate Companion Bill Sent to Governor

House Bill 3861 (Rodriguez)	
Relating to a public school's ability using a turnaround plan to operate as a community school Did not pass (no vote) Senate Bill 1330 (Hinojosa)/House Bill 3268 (Coleman)	
Relating to the licensing and practice of psychological associates. Did not pass (no vote SB/no hearing HB) Proposed as ar ulce change by TSBEP	
House Bill 11 (Price) Relating to consideration of the mental health of public school students in training requirements for certain	
school employees, curriculum requirements, educational programs, state and regional programs and services, and health care services for students. Did not pass (no vote)	-
House Bill 194 (Bernal) Providing for endorsements for public high school students enrolled in special education programs Did not pass (no vote)	
House Bill 353 (Bernal) - Assignment of certain behavioral health professionals to certain public schools. - Did not pass (no hearing)	
House Bill 1627 (Springer) Exemption of certain school districts from the placement and use of video cameras in certain self-contained classrooms or other settings providing special education services.	
Did not pass (no hearing) House Bill 2898 Creation of Texas Behavioral Health Executive Council	
Did not pass (no vote) House Bill 2899 (Simmons)	
Regulation of discrimination by political subdivisions Did not pass (no vote) Did not pass (no vote)	
Senate Bill 13 (Huffman)/House Bill 510 (Davis) Payroll deductions for state and local government employee organizations. Did not pass (no hearing SB/HB)	
Senate Bill 242 (Burton) Right of a child's parent to public school records and information concerning the child. Did not pass (no hearing)	
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House Bill 69 (Guillen) Relating to a requirement that school districts and open-enrollment charter schools report certain	
information regarding children with disabilities who reside in residential facilities. * Identical Senate Companion Bill Sent to Governor **Lown Pills - (Marsillo)	
House Bill 77 (Metcalf) Use of individual graduation committees to satisfy certain public high school graduation requirements	
Similar Senate Companion Bill Sent to Governor House Bill 363 (Huberty)	
 Prohibition of a monitoring system performance indicator based on the number or percentage of students receiving special education services. Identical Senate Companion Bill Effective Immediately 	

Bills	Track	ced b	y GI	PR: I	Passec

- <u>House Bill 10:</u>

 Establishes an ombudsman for behavioral health access to care (with liaison to field complaints)

 Establishes a mental health condition and substance use disorder workgroup

- Includes 'thildren's mental health providers'
 Requires benefits and coverage for mental health conditions and substance use disorders under
 the same terms and conditions applicable to the plan's medical and surgical benefits and coverage.
- Sent to the Governor
- Effective September 1, 2017/Health Plan Clause Effective After January 1, 2018

House	Bil	61
- C	han	ana

use Bill 6:

Changes the state accountability system to highlight the academic achievements of students who exit a special education program

Amends the Education Code to add to the public school accountability system, the percentage of students formerly receiving special education services who achieved satisfactory academic parternamen.

students formerly receiving special education services who achieved satisfactory academic performance Mandates that upon written request, a school must provide and place a video camera in self-contained classrooms or other special education settings in which the majority of students are served through special education (designates a district administrator to manage camera requests). Sent to the Governor Effective 207-2018 school year

- <u>House Bill 1556</u>
 Seeks to clarify a foster parent's role in representing a child with a disability in the education system
- If the Department of Family and Protective Services (DFPS) is the permanent managing conservator of a child, and a foster parent cares for the child, a foster parent can become the "special education decision maker" for the child
- ciniu
 School districts would be required to appoint a surrogate parent if the district is unable to identify a parent for
 the child, or if the foster parent is unwilling to serve as the special education decision maker for the child
 Sent to the Governor
- Effective September 1, 2017

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House Bill 1886: Provides for the early identification of and intervention for a child with dyslexia to improve the child's academic success. Requires that students enrolled in Texas public schools be screened or tested, as appropriate, for dyslexia and related disorders at the end of the kindergarten and first grade school years. Requires the employment of dyslexia specialists by regional education service centers, and the development by the Texas Education Agency of a list of training opportunities for educators regarding dyslexia. Provisions for transition planning including student involvement, parent involvement (including those invited by parent or school district), preparation for post-secondary consework/independent living golds, facilitating referrals for public benefits, changes to IEP if needed. Provision of transition and employment guide (to include waiting list options, decision-making agreement) to be shared with families Requirement to inform families of the transfer of rights and information regarding guardianship one year before the 18 th birthday of a child with a disability Sent to the Governor Transition pieces to begin 2018-2019 school year/Dyslexia pieces effective 2017-2018 school year	
Courte Bill 0	
Senate Bill S80: Betablish a regulatory framework for behavior analysts and assistant behavior analysts Amends the Occupations Code to enact the Behavior Analyst Licensing Act and create the Behavior Analyst Advisory Board. The bill establishes the activity that constitutes the practice of applied behavior analysis Requires the advisory board to provide advice and recommendations to the Texas Department of Licensing and Regulation (TDLR). Authorizes TDLR, or the executive director of TDLR to enforce the bill's provisions, a rule adopted under those provisions, or an order of the commission or executive director as provided by statutory	
provisions relating to administrative penalties and relating to other penalties and enforcement provisions applicable to licenses and license holders. Effective September 1, 2018, prohibits a person, except as otherwise provided by the bill, from engaging in the practice of applied behavior analysis. using the titles" licensed behavior analyst. "Icensed sasistant behavior analyst." as appropriate, or using the title "behavior analyst" unless the person holds a license under the bill's provisions.	
 Includes behavior analysts among the health-related professions with respect to which the commission's regulatory rulemaking authority is subject to certain requirements relating to the role of the profession's advisory board. 	
Sent to the Governor Effective September 1, 2018	

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Senate Bill 179: Defines bullying as a single significant act or a pattern of acts by one or more students directed at another student that exploits an imbalance of power and involves engaging in written or verbal expression, expression through electronic means, or physical conduct, that satisfies certain logation-related applicability requirements provided by electronic means, or physical conduct, that satisfies certain logation-related applicability requirements provided by added by the bill: materially and substantially disrupts the educational process or the orderly operation of a classroom or school or infringes on the rights of the victim at school; includes cyberbullying (including that off-campus in certain circumstances) Requires notice of bullying incident to the victim and perpetrator's parent or guardian Allows for district-wide policies for bullying prevention and mediation if bullying interferes with the educational environment Authorizes a student's removal from class and placement in a DAEP or expulsion if the student engages in forms of	
Authorizes a student's removal from class and placement in a DAEP or expulsion if the student engages in forms of bullying such as encouraging others to attempt or complete a suicide, incites violence, or releases or threatens to release intimate visual material without consent. Requires TEA and the Health and Human Services Commission (HHSC), to develop a website to provide resources for public school employees regarding working with students with mental health conditions. Authorizes a minor-age cyberbullying victim or a parent/guardian to seek injunctive relief (an order to the stop the Entitles a plaintiff in an action for injunctive relief for the cyberbullying of a child to a temporary restraining order. Requires the supreme court, as the court finds appropriate, to develop forms for use as an application for initial injunctive relief. Expands the conduct that constitutes the Class B misdemeanor offense of harassment to include engaging in bullying. Sent to the Governor	
Effective September 1, 2017	
Senate Bill 160: Probabits a monitoring system performance indicator based solely on the number or percentage of students receiving special education services. Amends the Education Code to probibit the commissioner of education and the Texas Education Agency (TEA) from adopting or implementing a performance indicator in any TEA monitoring system that solely measures a public school district's or open-enrollment charter school's aggregated number or percentage of enrolled students who receive special education services. Effective Immediately	
House Bill 2808: Explicitly states — the practice of marriage and family therapy "includes the evaluation, diagnostic assessment, and remediation of mental, cognitive, affective, behavioral, or relations dysfunction, disease, or disorder in the context of marriage or family systems." Authorizes the use of the Diagnostic and Statistical Manual of Mental Disorders and the International Classification of Diseases as well as use of billing codes in connection with those systems for LMFTs and CDCs. Sent to the Governor Effective September 1, 2007 House Bill 2808: Stetanlines the process for submitting reports and PEIMS information for students with disabilities served by the school who reside in residential facilities.	
Bequires the commissioner of education to require each school district and open-enrollment charter school to include in the district's or schools? FEIMS report the number of children with disabilities residing in a residential facility tho are required to be tracked by the Residential Facility Monitoring (RFM) System and receive educational services from the district or school. Sent to the Governor Effective 2017-2018 school year	
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Senate Bill 1153 Expands parental rights by requiring each school district to notify a parent of each child receiving assistance from the district for learning difficulties. Specifies that the written records of a public school district to which the parent is entitled access include records relating to assistance provided for learning difficulties, including information collected regarding any intervention strategies used with the child	
Requires each district in each school year to notify a parent that their child, other than a child enrolled in a special education program, assistance from the district for learning difficulties, including intervention strategies Requires the commissioner of education to require each district and charter school to annually report via PEIMS the total number of students provided aids, accommodations, or services under Section 500 at any time during the year for which the report is made and information regarding the total number of students, other than those provided aids, accommodations, who received intervention strategies at any time during the year for which the report is made. Sent to the Governor Effective 2017-2018 school year	

ate Bill 463: Amends current law relating to the use of individual graduation committees to satisfy certain public high school graduation requirements and other alternative methods to satisfy certain public high school graduation requirements. Extends previous bill which allows for students who are juniors or seniors and fail to pass one or two end-of-course exams required for graduation to receive consideration by an individual graduation committee.	_
(IGC). The IGC requires the student to complete additional remediation and completion of a project or portfolio in the area in which the student failed the exam. The IGC considers, when determining whether the student will graduate, factors such as the student's grades in relevant coursework, overall attendance rates, core on the Texas Success Initiative, and completion of dual credit and courses toward a professional certification, as well as the student's preparedness for college or career. Sent to the Governor Fiffective September 1, 2017	_
Other Netron who Dille	
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Other Noteworthy Bills

Makes the Department of Family and Protective Services a standalone agency
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Senate Bill π * Allows contracted non-profits to monitor children in foster care and adoptive homes * Passed

House Bill 22
Changes to the A-F rating system for school district
Passed

Senate Bill 725

District MAY elect to provide food at no cost to students who are unable to purchase meals
Signed by the Governor

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Prepare for the next legislative session by educating our elected officials on the practice of school psychology and what school psychologists do for students

- Share materials with your elected officials:
 What is a LSSP?
 Who are School Psychologists?

- Develop a relationship with your legislators:
 Make an appointment with your elected officials to discuss the field of school psychology
 Invite legislators to visit your campus/meet your team

Resources

Passed/Effective Bill List Texas Legislature Online Who Represents Me?

Contact Me: govtrelations@txasp.org