

Department of Legislative Services
Maryland General Assembly
2021 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

House Bill 377
Ways and Means

(Delegate Bagnall)
Education, Health, and Environmental Affairs

Commission on Student Behavioral Health and Mental Health Treatment

This bill establishes the Commission on Student Behavioral Health and Mental Health Treatment to study, evaluate, update, and revise guidelines for student behavioral health and mental health treatment and practices, including school-based health centers (SBHCs). The Behavioral Health Administration (BHA) must provide staff for the commission. Members of the commission may not receive compensation but may be reimbursed for expenses. The commission must report its findings and recommendations to the Governor, the Maryland State Board of Education, and the General Assembly in two reports, one by July 1, 2022, and the second by December 1, 2022. **The bill takes effect July 1, 2021, and terminates June 30, 2023.**

Fiscal Summary

State Effect: BHA can likely staff the commission with existing resources; to the extent that the commission requires specialized staff expertise, BHA expenditures may increase minimally for contractual staff support. Any expense reimbursements for the commission are assumed to be minimal and absorbable within existing budgeted resources. Revenues are not affected.

Local Effect: None.

Small Business Effect: None.

Analysis

Bill Summary: The commission must:

- study behavioral health treatment and practices for students dealing with behavioral health and mental health issues;
- investigate the unique behavioral health needs of students from different racial and ethnic backgrounds dealing with behavioral health and mental health issues;
- make recommendations on actions necessary to improve the current practices of student behavioral health treatment, including actions specific to improvements for students who belong to racial and ethnic minority groups and improvements for service from SBHCs;
- revise guidelines for student behavioral health treatment and practices in SBHCs; and
- research ways to coordinate school-based practices with health care provider practices to improve treatment available for students who need behavioral health or mental health treatment.

Current Law:

School-based Health Centers

SBHCs are health centers located in a school or on a school campus that provide on-site comprehensive preventive and primary health services. Services may also include behavioral health, oral health, ancillary, and supportive services. According to the Maryland State Department of Education (MSDE), as of fiscal 2020, 85 SBHCs operated across 12 local school systems in Maryland.

Maryland Council on Advancement of School-based Health Centers

The Maryland Council on Advancement of School-based Health Centers must develop specified policy recommendations to improve the health and educational outcomes of students who receive services from SBHCs and report its findings and recommendations by December 31 of each year. The Maryland Community Health Resources Commission must provide staff support for the council but may seek the assistance of organizations with relevant expertise to provide additional staffing.

Commission on Innovation and Excellence in Education

The Commission on Innovation and Excellence in Education (known as the Kirwan Commission), chaired by former University of Maryland Chancellor

Dr. William E. “Brit” Kirwan, was established by Chapters 701 and 702 of 2016 to (1) review and recommend any needed changes to update the current education funding formulas (known as the Thornton formulas) and (2) make policy recommendations that would enable Maryland’s preK-12 system to perform at the level of the best-performing systems in the world. In its December 2020 [Final Report](#), the Kirwan Commission included recommendations to (1) train staff in all schools to recognize mental health issues as well as other issues related to trauma and to coordinate access to needed mental health and other services for students, as part of the effort to increase school safety and (2) provide State funding for MSDE and local education agency behavioral health coordinators.

Chapter 30 of 2018, the Safe to Learn Act, specifically charged the Kirwan Commission with developing recommendations to address behavioral health issues. The Act also allocated \$2.0 million in funding (beginning in fiscal 2020) for a mental health services coordinator that each local school system must appoint.

Additional Information

Prior Introductions: HB 1443 of 2020, a similar bill, received a hearing in the House Ways and Means Committee, but no further action was taken. Its cross file, SB 896, received a hearing in the Senate Education, Health, and Environmental Affairs Committee, but no further action was taken.

Designated Cross File: None.

Information Source(s): Maryland State Department of Education; Maryland Department of Health; Department of Legislative Services

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