

AMENDED IN ASSEMBLY MARCH 27, 2000

CALIFORNIA LEGISLATURE—1999–2000 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2068**

**Introduced by Assembly Member Steinberg**

February 22, 2000

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An act to add *Section 49416* to, and to add Chapter 4.5 (commencing with Section 8790) to Part 6 of, the Education Code, and to add *Section 4373* to the *Welfare and Institutions Code*, relating to pupil mental health.

LEGISLATIVE COUNSEL'S DIGEST

AB 2068, as amended, Steinberg. Pupil mental health study.

(1) Existing law, the Healthy Start Support Services For Children Act, establishes a program to provide grants to local educational agencies or consortia to pay the costs of planning and operating programs that provide support services, including, but not limited to, mental health service, to pupils and their families at or near the school.

This bill would require the State Department of Education to provide information to school districts documenting examples of successful programs that, among other things, identify children with mental health problems, train teachers, and provide prescribed services and referrals. *The bill would require the State Department of Mental Health to establish 3 demonstration programs, to provide grants of \$2,000,000 per program, and to deduct certain administrative costs from these grants.* The bill would require the State Department of

Education and the State Department of Mental Health to jointly survey all ~~schools, county mental health departments and all school districts~~, to evaluate the success of these programs, ~~conduct a study of the public education efforts in Norway~~, and report to the Legislature by January 1, 2003.

(2) Existing law requires the governing board of a school district to give diligent care to the health and physical development of pupils, including, but not limited to, adoption of rules relating to pupil physical examinations and authorizes contracts with cities, counties, and local health districts for these purposes.

This bill would require that a whenever a full medical examination is provided for a pupil pursuant to those provisions the examination shall include a screening and evaluation of the pupil's mental health. By establishing this additional requirement, this bill would impose a state-mandated local program.

(3) Existing law, the School-Based Early Mental Health Intervention and Prevention Services for Children Act, authorizes the Director of Mental Health to award matching grants to local educational agencies for provision of school-based early mental health intervention and prevention service.

This bill would require a mental health service provider who determines that a school-aged child to whom he or she is providing services has special mental health needs, to inform the child's parents that the child may be eligible for special education and related services, and to refer the pupil for those services if the parent consents.

(4) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by



*the state, reimbursement for those costs shall be made pursuant to these statutory provisions.*

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: ~~no~~ yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. Chapter 4.5 (commencing with Section  
2 8790) is added to Part 6 of the Education Code, to read:

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4 CHAPTER 4.5. PUPIL MENTAL HEALTH STUDY

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6 8790. (a) *The State Department of Mental Health, in*  
7 *cooperation with the State Department of Education,*  
8 *shall provide information to county mental health*  
9 *departments and school districts documenting examples*  
10 *of successful collaborative programs developed in*  
11 ~~*partnership with county mental health departments that*~~  
12 ~~*that*~~ *do all of the following:*

13 (1) Identify children with mental health problems.

14 (2) Train teachers and pupils to recognize mental  
15 health problems.

16 (3) Contract with community mental health  
17 organizations to provide case management, parental  
18 outreach, direct services for Medi-Cal eligible families,  
19 and referrals to private providers for others.

20 (b) *The State Department of Mental Health, in*  
21 *consultation with the State Department of Education*  
22 ~~*shall provide 50 percent state matching funds not to*~~  
23 ~~*exceed \_\_\_\_\_ dollars (\$\_\_\_\_\_) per pupil for each*~~  
24 ~~*school district that establishes and develops programs*~~  
25 ~~*pursuant to this chapter.*~~

26 (c) (1) ~~*The State Department of Education shall*~~  
27 ~~*survey all school districts annually to determine to what*~~  
28 ~~*extent mental health programs have been established*~~  
29 ~~*pursuant to this chapter or programs that are similar to*~~  
30 ~~*programs as set forth in this chapter.*~~ *shall establish three*  
31 *demonstration programs for the purpose of expanding*  
32 *the existing successful program accomplishing the results*  
33 *set forth in subdivision (a). The State Department of*



1 *Mental Health and the State Department of Education*  
 2 *shall jointly establish an advisory committee for the*  
 3 *purposes of this chapter. The committee shall be*  
 4 *composed of representatives of appropriate mental*  
 5 *health and educational organizations.*

6 (c) (1) *The State Department of Mental Health shall*  
 7 *provide grants not to exceed two million dollars*  
 8 *(\$2,000,000) for each of the three demonstration*  
 9 *programs.*

10 (2) *The State Department of Mental Health shall*  
 11 *deduct from these grants amounts necessary for*  
 12 *administration of this chapter, including costs of the State*  
 13 *Department of Education, the State Department of*  
 14 *Mental Health, and the advisory committee.*

15 (d) *The State Department of Mental Health and the*  
 16 *State Department of Education shall jointly survey all*  
 17 *county mental health departments and all school districts*  
 18 *to determine the extent to which programs have been*  
 19 *established in accordance with subdivision (a).*

20 (2) *For counties and school districts that have*  
 21 *implemented these programs, the department shall*  
 22 *document the results of the programs.*

23 (3) *For counties and school districts that have not*  
 24 *established these programs, or have only partially*  
 25 *established these programs, the department shall identify*  
 26 *any barriers to establishment of the programs that have*  
 27 *been identified by the counties and school districts and*  
 28 *any recommendations of the counties and school districts*  
 29 *regarding methods of overcoming those barriers.*

30 ~~(d)~~

31 (e) *The State Department of Mental Health and the*  
 32 *State Department of Education shall jointly evaluate the*  
 33 *success of programs described in this chapter and shall*  
 34 *jointly develop outcome measures, incentives, and*  
 35 *guidance regarding the most cost-effective ways to*  
 36 *develop and fund these programs through cooperative*  
 37 *arrangements between school districts and counties.*

38 ~~(e) (1) The State Department of Mental Health shall~~  
 39 ~~study the public education efforts in certain communities~~  
 40 ~~in Norway, that utilize schools, primary care physicians,~~



1 and a general public education campaign, to ensure that  
2 people suffering from schizophrenia-related illnesses  
3 seek treatment within six months of the onset of the  
4 symptoms, as compared to two years in similar  
5 communities elsewhere in Norway and in Denmark.

6 (2) The study shall include recommendations for  
7 implementation of a similar program in California  
8 including an analysis of how the cost of the program may  
9 be offset by savings in the total costs to society, including,  
10 but not limited to, the public and private costs of  
11 treatment, and other governmental costs related to  
12 schizophrenia and other mental illnesses that may be  
13 affected by a program of this type.

14 (f) The State Department of Mental Health and the  
15 State Department of Education shall jointly report to the  
16 Legislature regarding the effort's findings and  
17 recommendations pursuant to this section by January 1,  
18 2003.

19 *SEC. 2. Section 49416 is added to the Education Code*  
20 *to read:*

21 *49416. Whenever a complete medical examination is*  
22 *provided for a pupil pursuant to this chapter, that medical*  
23 *examination shall include a screening and evaluation of*  
24 *the pupil's mental health.*

25 *SEC. 3. Section 4373 is added to the Welfare and*  
26 *Institutions Code to read:*

27 *4373. Whenever a mental health service provider*  
28 *determines that a school-aged child to whom he or she is*  
29 *providing services has special mental health needs, the*  
30 *service provider shall inform the child's parents that the*  
31 *child may be eligible for special education and related*  
32 *services. If parental consent is obtained, the mental*  
33 *health service provider shall make a referral to the school*  
34 *of attendance of the child for appropriate special*  
35 *education and related services.*

36 *SEC. 4. Notwithstanding Section 17610 of the*  
37 *Government Code, if the Commission on State Mandates*  
38 *determines that this act contains costs mandated by the*  
39 *state, reimbursement to local agencies and school*  
40 *districts for those costs shall be made pursuant to Part 7*



1 *(commencing with Section 17500) of Division 4 of Title*  
2 *2 of the Government Code. If the statewide cost of the*  
3 *claim for reimbursement does not exceed one million*  
4 *dollars (\$1,000,000), reimbursement shall be made from*  
5 *the State Mandates Claims Fund.*

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