

107TH CONGRESS  
1ST SESSION

# S. 859

To amend the Public Health Service Act to establish a mental health community education program, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

MAY 10, 2001

Mr. THOMAS (for himself, Mr. CONRAD, Mr. DOMENICI, Mr. JOHNSON, Mr. ROBERTS, and Mr. NELSON of Nebraska) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

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## A BILL

To amend the Public Health Service Act to establish a mental health community education program, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Rural Mental Health  
5       Accessibility Act of 2001”.

1 **SEC. 2. AMENDMENT TO THE PUBLIC HEALTH SERVICE**  
 2 **ACT.**

3 Subpart I of part D of title III of the Public Health  
 4 Service Act (42 U.S.C. 254b et seq.) is amended by adding  
 5 at the end the following:

6 **“SEC. 330I. MENTAL HEALTH COMMUNITY EDUCATION**  
 7 **PROGRAM.**

8 “(a) PROGRAM AUTHORIZED.—The Director of the  
 9 Office of Rural Health Policy (of the Health Resources  
 10 and Services Administration) shall award grants to eligible  
 11 entities to conduct mental health community education  
 12 programs.

13 “(b) DEFINITIONS.—In this section:

14 “(1) ELIGIBLE ENTITY.—The term ‘eligible en-  
 15 tity’ includes a State entity, public or private school,  
 16 mental health clinic, rural health clinic, local public  
 17 health department, nonprofit private entity, federally  
 18 qualified health center, Rural Area Health Edu-  
 19 cation Center, Indian tribe and tribal organization,  
 20 and any other entity deemed eligible by the Sec-  
 21 retary.

22 “(2) MENTAL HEALTH COMMUNITY EDUCATION  
 23 PROGRAM.—The term ‘mental health community  
 24 education program’ means a program regarding  
 25 mental illness, mental retardation, suicide prevention

1       and co-occurring mental illness and substance abuse  
2       disorder.

3       “(c) PREFERENCE.—In awarding grants under sub-  
4       section (a), the Director shall give a preference to eligible  
5       entities that are or propose to be in a network, or work  
6       in collaboration, with other eligible entities to carry out  
7       the programs under this section, such as a rural public  
8       or nonprofit private entity that represents a network of  
9       local health care providers or other entities that provide  
10      or support delivery of health care services, and a State  
11      office of rural health or other appropriate State entity.

12      “(d) DURATION.—The Director shall award grants  
13      under subsection (a) for a period of 3 years.

14      “(e) AMOUNT.—Each grant awarded under this sec-  
15      tion shall not be greater than \$200,000 each fiscal year.

16      “(f) USE OF FUNDS.—An eligible entity that receives  
17      a grant under subsection (a) shall use funds received  
18      through such grant to administer a mental health commu-  
19      nity education program to rural populations that provides  
20      information to dispel myths regarding mental illness and  
21      to reduce any stigma associated with mental illness.

22      “(g) APPLICATION.—An eligible entity desiring a  
23      grant under subsection (a) shall submit an application to  
24      the Director at such time, in such manner, and containing

1 such information as the Director may reasonably require,  
2 including—

3 “(1) a description of the activities which the eli-  
4 gible entity intends to carry out using amounts pro-  
5 vided under the grant;

6 “(2) a plan for continuing the project after  
7 Federal support is ended;

8 “(3) a description of the manner in which the  
9 educational activities funded under the grant will  
10 meet the mental health care needs of underserved  
11 rural populations within the State; and

12 “(4) a description of how the local community  
13 or region to be served by the network or proposed  
14 network, if the eligible entity is in such a network,  
15 will be involved in the development and ongoing op-  
16 erations of the network.

17 “(h) EVALUATIONS; REPORT.—Each eligible entity  
18 that receives a grant under this section shall submit to  
19 the Director of the Office of Rural Health Policy (of the  
20 Health Resources and Services Administration) an evalua-  
21 tion describing the programs authorized under this section  
22 and any other information that the Director deems appro-  
23 priate. After receiving such evaluations, the Director shall  
24 submit to the appropriate committees of Congress a report  
25 describing such evaluations.

1       “(i) AUTHORIZATION OF APPROPRIATIONS.—There is  
 2 authorized to be appropriated to carry out this section,  
 3 \$50,000,000 for fiscal year 2002, and such sums as may  
 4 be necessary for fiscal years 2003 through 2006.

5       **“SEC. 330J. INTERDISCIPLINARY GRANT PROGRAM.**

6       “(a) PROGRAM AUTHORIZED.—The Director of the  
 7 Office of Rural Health Policy (of the Health Resources  
 8 and Services Administration) shall award grants to eligible  
 9 entities to establish interdisciplinary training programs  
 10 that include significant mental health training in rural  
 11 areas for certain health care providers.

12       “(b) DEFINITIONS.—In this section:

13               “(1) ELIGIBLE ENTITY.—The term ‘eligible en-  
 14 tity’ means a public university or other educational  
 15 institution that provides training for mental health  
 16 care providers or primary health care providers.

17               “(2) MENTAL HEALTH CARE PROVIDER.—The  
 18 term ‘mental health care provider’ means—

19                       “(A) a physician with postgraduate train-  
 20 ing in a residency program of psychiatry;

21                       “(B) a licensed psychologist (as defined by  
 22 the Secretary for purposes of section 1861(ii) of  
 23 such Act (42 U.S.C. 1395x(ii)));

1 “(C) a clinical social worker (as defined in  
2 section 1861(hh)(1) of such Act (42 U.S.C.  
3 1395x(hh)(1)); or

4 “(D) a clinical nurse specialist (as defined  
5 in section 1861(aa)(5)(B) of such Act (42  
6 U.S.C. 1395x(aa)(5)(B))).

7 “(3) PRIMARY HEALTH CARE PROVIDER.—The  
8 term ‘primary health care provider’ includes family  
9 practice, internal medicine, pediatrics, obstetrics and  
10 gynecology, geriatrics, and emergency medicine phy-  
11 sicians as well as physician assistants and nurse  
12 practitioners.

13 “(4) RURAL AREA.—The term ‘rural area’  
14 means a rural area as defined in section  
15 1886(d)(2)(D) of the Social Security Act, or such an  
16 area in a rural census tract of a metropolitan statis-  
17 tical area (as determined under the most recent  
18 modification of the Goldsmith Modification, origi-  
19 nally published in the Federal Register on February  
20 27, 1992 (57 Fed. Reg. 6725)), or any other geo-  
21 graphical area that the Director designates as a  
22 rural area.

23 “(c) DURATION.—Grants awarded under subsection  
24 (a) shall be awarded for a period of 5 years.

1       “(d) USE OF FUNDS.—An eligible entity that receives  
2 a grant under subsection (a) shall use funds received  
3 through such grant to administer an interdisciplinary,  
4 side-by-side training program for mental health care pro-  
5 viders and primary health care providers, that includes  
6 providing, under appropriate supervision, health care serv-  
7 ices to patients in underserved, rural areas without regard  
8 to patients’ ability to pay for such services.

9       “(e) APPLICATION.—An eligible entity desiring a  
10 grant under subsection (a) shall submit an application to  
11 the Director at such time, in such manner, and containing  
12 such information as the Director may reasonably require,  
13 including—

14           “(1) a description of the activities which the eli-  
15 gible entity intends to carry out using amounts pro-  
16 vided under the grant;

17           “(2) a description of the manner in which the  
18 activities funded under the grant will meet the men-  
19 tal health care needs of underserved rural popu-  
20 lations within the State; and

21           “(3) a description of the network agreement  
22 with partnering facilities.

23       “(f) EVALUATIONS; REPORT.—Each eligible entity  
24 that receives a grant under this section shall submit to  
25 the Director of the Office of Rural Health Policy (of the

1 Health Resources and Services Administration) an evalua-  
 2 tion describing the programs authorized under this section  
 3 and any other information that the Director deems appro-  
 4 priate. After receiving such evaluations, the Director shall  
 5 submit to the appropriate committees of Congress a report  
 6 describing such evaluations.

7 “(g) AUTHORIZATION OF APPROPRIATIONS.—There  
 8 is authorized to be appropriated to carry out this section,  
 9 \$100,000,000 for fiscal year 2002 and such sums as may  
 10 be necessary for each of the fiscal years 2003 through  
 11 2006.

12 **“SEC. 330K. STUDY OF MENTAL HEALTH SERVICES DELIV-**  
 13 **ERED WITH TELEHEALTH TECHNOLOGIES.**

14 “(a) IN GENERAL.—The Director of the National In-  
 15 stitute of Mental Health, in consultation with the Director  
 16 of the Office of Rural Health Policy, shall carry out activi-  
 17 ties to research the efficacy and effectiveness of mental  
 18 health services delivered remotely by a qualified mental  
 19 health professional (psychiatrist or doctoral level psycholo-  
 20 gist) using telehealth technologies.

21 “(b) MANDATORY ACTIVITIES.—Research described  
 22 in subsection (a) shall include—

23 “(1) objective measurement of treatment out-  
 24 comes for individuals with mental illness treated re-



1       motely using telehealth technologies as compared to  
 2       individuals with mental illness treated face-to-face;

3           “(2) objective measurement of treatment com-  
 4       pliance by individuals with mental illness treated re-  
 5       motely using telehealth technologies as compared to  
 6       individuals with mental illness treated face-to-face;  
 7       and

8           “(3) any other variables as determined by the  
 9       Director.

10       “(c) AUTHORIZATION OF APPROPRIATIONS.—There  
 11       are authorized to be appropriated to carry out this section  
 12       such sums as may be necessary.

13       **“SEC. 330L. MENTAL HEALTH SERVICES DELIVERED VIA**  
 14                               **TELEHEALTH.**

15       “(a) PROGRAM AUTHORIZED.—

16           “(1) IN GENERAL.—The Secretary, acting  
 17       through the Director of the Office for the Advance-  
 18       ment of Telehealth of the Health Resources and  
 19       Services Administration, shall award grants to eligi-  
 20       ble entities to establish demonstration projects for  
 21       the provision of mental health services to special  
 22       populations as delivered remotely by qualified mental  
 23       health professionals using telehealth and for the pro-  
 24       vision of education regarding mental illness as deliv-  
 25       ered remotely by qualified mental health profes-

sionals and qualified mental health education professionals using telehealth.

“(2) NUMBER OF DEMONSTRATION PROJECTS.—Ten grants shall be awarded under paragraph (1) to provide services for the children and adolescents described in subsection (d)(1)(A) and not less than 6 of such grants shall be for services rendered to individuals in rural areas. Ten grants shall also be awarded under paragraph (1) to provide services for the elderly described in subsection (d)(1)(B) in rural areas. If the maximum number of grants to be awarded under paragraph (1) is not awarded, the Secretary shall award the remaining grants in a manner that is equitably distributed between the populations described in subparagraphs (A) and (B) of subsection (d)(1).

“(b) DEFINITIONS.—In this section:

“(1) ELIGIBLE ENTITY.—The term ‘eligible entity’ means a public or nonprofit private telehealth provider network which has as part of its services mental health services provided by qualified mental health providers.

“(2) QUALIFIED MENTAL HEALTH EDUCATION PROFESSIONALS.—The term ‘qualified mental health education professionals’ refers to teachers, commu-

1 nity mental health professionals, nurses, and other  
2 entities as determined by the Secretary who have ad-  
3 ditional training in the delivery of information on  
4 mental illness to children and adolescents or who  
5 have additional training in the delivery of informa-  
6 tion on mental illness to the elderly.

7 “(3) QUALIFIED MENTAL HEALTH PROFES-  
8 SIONALS.—The term ‘qualified mental health profes-  
9 sionals’ refers to providers of mental health services  
10 currently reimbursed under medicare who have addi-  
11 tional training in the treatment of mental illness in  
12 children and adolescents or who have additional  
13 training in the treatment of mental illness in the el-  
14 derly.

15 “(4) SPECIAL POPULATIONS.—The term ‘spe-  
16 cial populations’ refers to the following 2 distinct  
17 groups:

18 “(A) Children and adolescents located in  
19 primary and secondary public schools in mental  
20 health underserved rural areas or in mental  
21 health underserved urban areas.

22 “(B) Elderly individuals located in long-  
23 term care facilities in mental health under-  
24 served rural areas.

1           “(5) TELEHEALTH.—The term ‘telehealth’  
 2       means the use of electronic information and tele-  
 3       communications technologies to support long-dis-  
 4       tance clinical health care, patient and professional  
 5       health-related education, public health, and health  
 6       administration.

7           “(c) AMOUNT.—Each entity that receives a grant  
 8       under subsection (a) shall receive not less than \$1,500,000  
 9       with no more than 40 percent of the total budget outlined  
 10      for equipment.

11          “(d) USE OF FUNDS.—

12           “(1) IN GENERAL.—An eligible entity that re-  
 13       ceives a grant under this section shall use such  
 14       funds—

15           “(A) for the populations described in sub-  
 16       section (b)(3)(A)—

17           “(i) to provide mental health services,  
 18           including diagnosis and treatment of men-  
 19           tal illness, in primary and secondary public  
 20           schools as delivered remotely by qualified  
 21           mental health professionals using tele-  
 22           health;

23           “(ii) to provide education regarding  
 24           mental illness (including suicide and vio-  
 25           lence) in primary and secondary public

1 schools as delivered remotely by qualified  
2 mental health professionals and qualified  
3 mental health education professionals  
4 using telehealth, including early recogni-  
5 tion of the signs and symptoms of mental  
6 illness, and instruction on coping and deal-  
7 ing with stressful experiences of childhood  
8 and adolescence (such as violence, social  
9 isolation, and depression); and

10 “(iii) to collaborate with local public  
11 health entities and the eligible entity to  
12 provide the mental health services; and

13 “(B) for the populations described in sub-  
14 section (b)(3)(B)—

15 “(i) to provide mental health services,  
16 including diagnosis and treatment of men-  
17 tal illness, in long-term care facilities as  
18 delivered remotely by qualified mental  
19 health professionals using telehealth;

20 “(ii) to provide education regarding  
21 mental illness to primary staff (including  
22 physicians, nurses, and nursing aides) as  
23 delivered remotely by qualified mental  
24 health professionals and qualified mental  
25 health education professionals using tele-

1 health, including early recognition of the  
 2 signs and symptoms of mental illness, and  
 3 instruction on coping and dealing with  
 4 stressful experiences of old age (such as  
 5 loss of physical and cognitive capabilities,  
 6 death of loved ones and friends, social iso-  
 7 lation, and depression); and

8 “(iii) to collaborate with local public  
 9 health entities and the eligible entity to  
 10 provide mental health services.

11 “(2) OTHER USES.—An eligible entity receiving  
 12 a grant under this section may also use funds to—

13 “(A) acquire telehealth equipment to use  
 14 in primary and secondary public schools and  
 15 long-term care facilities for the purposes of this  
 16 section;

17 “(B) develop curriculum to support activi-  
 18 ties described in subsections (d)(1)(A)(ii) and  
 19 (d)(1)(B)(ii);

20 “(C) pay telecommunications costs; and

21 “(D) pay qualified mental health profes-  
 22 sionals and qualified mental health education  
 23 professionals on a reasonable cost basis as de-  
 24 termined by the Secretary for services rendered.

1           “(3) PROHIBITED USES.—An eligible entity  
2           that receives a grant under this section shall not use  
3           funds received through such grant to—

4                   “(A) purchase or install transmission  
5                   equipment (other than such equipment used by  
6                   qualified mental health professionals to deliver  
7                   mental health services using telehealth under  
8                   the project); or

9                   “(B) build upon or acquire real property  
10                  (except for minor renovations related to the in-  
11                  stallation of reimbursable equipment).

12          “(e) EQUITABLE DISTRIBUTION.—In awarding  
13          grants under this section, the Secretary shall ensure, to  
14          the greatest extent possible, that such grants are equitably  
15          distributed among geographical regions of the United  
16          States.

17          “(f) APPLICATION.—An entity that desires a grant  
18          under this section shall submit an application to the Sec-  
19          retary at such time, in such manner, and containing such  
20          information as the Secretary determines to be reasonable.

21          “(g) REPORT.—Not later than 5 years after the date  
22          of enactment of this section, the Secretary shall prepare  
23          and submit a report to the appropriate committees of Con-  
24          gress that shall evaluate activities funded with grants  
25          under this section.

1       “(h) AUTHORIZATION OF APPROPRIATIONS.—There  
2 are authorized to be appropriated to carry out this section,  
3 \$30,000,000 for fiscal year 2002 and such sums that are  
4 required to carry out this program for fiscal years 2003  
5 through 2009.

6       “(i) SUNSET PROVISION.—This section shall be effec-  
7 tive for 7 years from the date of enactment of this sec-  
8 tion.”.

○