

110TH CONGRESS
1ST SESSION

H. R. 2646

To amend the Public Health Service Act to establish grant programs to provide funding for mental health services in response to public health emergencies, for statewide plans for providing such services in response to such emergencies, and for the training of mental health professionals with respect to the treatment of victims of such emergencies, and to establish the National Mental Health Crisis Response Technical Assistance Center.

IN THE HOUSE OF REPRESENTATIVES

JUNE 11, 2007

Mr. JEFFERSON introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend the Public Health Service Act to establish grant programs to provide funding for mental health services in response to public health emergencies, for statewide plans for providing such services in response to such emergencies, and for the training of mental health professionals with respect to the treatment of victims of such emergencies, and to establish the National Mental Health Crisis Response Technical Assistance Center.

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Mental Health Services
3 in Public Health Emergencies Act”.

4 **SEC. 2. GRANTS TO STATES AND POLITICAL SUBDIVISIONS**
5 **FOR MENTAL HEALTH SERVICES IN RE-**
6 **SPONSE TO PUBLIC HEALTH EMERGENCIES.**

7 Subpart 3 of part B of title V of the Public Health
8 Service Act (42 U.S.C. 290bb–31 et seq.) is amended by
9 adding at the end the following:

10 **“SEC. 520K. GRANTS TO STATES AND POLITICAL SUBDIVI-**
11 **SIONS FOR MENTAL HEALTH SERVICES IN**
12 **RESPONSE TO PUBLIC HEALTH EMER-**
13 **GENCIES.**

14 “(a) IN GENERAL.—The Secretary, acting through
15 the Director of the Center for Mental Health Services,
16 may make grants to States and political subdivisions of
17 States for the purpose of providing the mental health serv-
18 ices described in subsection (b) in response to public
19 health emergencies, including diseases or disorders that
20 present such emergencies, natural disasters, major trans-
21 portation accidents, technological disasters, and disasters
22 resulting from terrorism.

23 “(b) SERVICES.—The mental health services referred
24 to in subsection (a) with respect to a public health emer-
25 gency are the following:

1 “(1) Crisis counseling in the aftermath of such
2 emergency.

3 “(2) In the case of children, adolescents, and
4 adults at risk of developing mental health disorders
5 as a result of such emergency—

6 “(A) outreach and screening programs to
7 identify such individuals; and

8 “(B) early intervention services, including
9 counseling.

10 “(3) Mental health services beyond such crisis
11 counseling (referred to in this section as ‘extended
12 therapeutic services’) that—

13 “(A) are provided to individuals with diag-
14 nosed mental health disorders resulting from or
15 exacerbated by the emergency, including dis-
16 aster survivors, family members of victims, first
17 responders, and others with such disorders; and

18 “(B) are provided by mental health profes-
19 sionals who are licensed or otherwise regulated
20 by a State agency.

21 “(4) Assessments of the need for extended
22 therapeutic services.

23 “(5) Case finding and other outreach services
24 to inform the public of the availability of crisis coun-
25 seling and extended therapeutic services.

1 “(c) RELATION TO OTHER SOURCES OF FUNDING.—

2 A condition for the receipt of a grant under subsection

3 (a) is that the applicant involved agrees as follows:

4 “(1) With respect to activities for which the

5 grant is authorized to be expended, the applicant

6 will maintain expenditures of non-Federal amounts

7 for such activities at a level that is not less than the

8 level of such expenditures maintained by the appli-

9 cant for the fiscal year preceding the first fiscal year

10 for which the applicant receives such a grant.

11 “(2) The grant will not be expended to make

12 payment for the provision of extended therapeutic

13 services for an individual to the extent that payment

14 has been made, or can reasonably be expected to be

15 made, for the services—

16 “(A) under a State compensation program,

17 under an insurance policy, or under a Federal

18 or State health benefits program; or

19 “(B) by an entity that provides health

20 services on a prepaid basis.

21 “(3) The grant will not be expended to make

22 payment for the provision of mental health services

23 to the extent that such services are available pursu-

24 ant to responses to the public health emergency in-

25 volved by the Federal Emergency Management

1 Agency, or by other Federal or State agencies or
2 programs that provide for emergency medical serv-
3 ices.

4 “(d) STATEWIDE MENTAL HEALTH DISASTER
5 PLAN.—

6 “(1) IN GENERAL.—For fiscal year 2008 and
7 each subsequent fiscal year, a condition for the re-
8 ceipt of a grant under subsection (a) by a State or
9 a political subdivision is that, in accordance with cri-
10 teria established by the Secretary, the State has de-
11 veloped a statewide plan for the provision of mental
12 health services in response to public health emer-
13 gencies. The preceding sentence applies without re-
14 gard to whether the State receives a grant under
15 section 520L.

16 “(2) CERTAIN CRITERIA OF SECRETARY.—The
17 criteria of the Secretary under paragraph (1) shall
18 include criteria for coordinating the program under
19 this section with programs of the Federal Emer-
20 gency Management Agency and with other Federal
21 or State programs regarding the provision of emer-
22 gency medical services, including mental health serv-
23 ices.

24 “(e) ADMINISTRATION OF GRANT THROUGH STATE
25 AND LOCAL MENTAL HEALTH AGENCIES.—A condition

1 for the receipt of a grant under subsection (a) is that the
2 applicant involved agrees that the grant and activities
3 under the grant will be administered through the agency
4 of the State or political subdivision (as the case may be)
5 that has the principal responsibility for carrying out men-
6 tal health programs.

7 “(f) CERTAIN REQUIREMENTS.—With respect to an
8 application that, pursuant to section 501(l), is submitted
9 to the Secretary for a grant under subsection (a), the Sec-
10 retary may make the grant only if the application con-
11 tains—

12 “(1) a description of the purposes for which the
13 applicant intends to expend the grant;

14 “(2) an assurance that the activities to be car-
15 ried out under the grant are consistent with the
16 State plan referred to in subsection (d)(1), as appli-
17 cable, together with a description of the manner in
18 which the grant activities will be coordinated with
19 the State plan;

20 “(3) an assurance that the applicant will co-
21 ordinate activities under the grant with other public
22 or private providers of mental health services, to-
23 gether with a description of the manner in which the
24 grant activities will be so coordinated; and

1 “(4) in the case of an application from a polit-
2 ical subdivision, an assurance that the application
3 was developed in consultation with the State agency
4 referred to in subsection (e).

5 “(g) DURATION OF GRANT.—The period during
6 which payments are made to an applicant from a grant
7 under subsection (a) may not exceed three years. The pro-
8 vision of such payments are subject to annual approval
9 by the Secretary of the payments and to the availability
10 of appropriations for the fiscal year involved to make the
11 payments. This subsection may not be construed as estab-
12 lishing a limitation on the number of grants under such
13 subsection that may be made to an applicant.

14 “(h) TECHNICAL ASSISTANCE.—The Secretary may,
15 directly or through grants or contracts, provide technical
16 assistance to grantees under subsection (a) in carrying out
17 the purpose described in such subsection.

18 “(i) FUNDING.—

19 “(1) AUTHORIZATION OF APPROPRIATIONS.—
20 For the purpose of carrying out this section, there
21 are authorized to be appropriated such sums as may
22 be necessary for each of the fiscal years 2008
23 through 2010.

24 “(2) ALLOCATION.—Of the amounts appro-
25 priated under paragraph (1) for a fiscal year, the

1 Secretary may obligate not more than 5 percent for
 2 the administrative expenses of the Secretary in car-
 3 rying out this section.”.

4 **SEC. 3. GRANTS TO STATES FOR STATEWIDE MENTAL**
 5 **HEALTH DISASTER PLANS.**

6 Subpart 3 of part B of title V of the Public Health
 7 Service Act (42 U.S.C. 290bb–31 et seq.), as amended by
 8 section 2, is amended by adding at the end the following:

9 **“SEC. 520L. GRANTS TO STATES FOR STATEWIDE MENTAL**
 10 **HEALTH DISASTER PLANS.**

11 “(a) IN GENERAL.—The Secretary, acting through
 12 the Director of the Center for Mental Health Services,
 13 may make grants to States for the purpose of—

14 “(1) developing, and periodically reviewing and
 15 as appropriate revising, statewide plans for pro-
 16 viding mental health services in response to public
 17 health emergencies;

18 “(2) training personnel to implement such plan
 19 effectively; and

20 “(3) carrying out other activities determined
 21 appropriate by the Secretary to prepare for the pro-
 22 vision of mental health services in response to such
 23 emergencies.

24 “(b) CERTAIN REQUIREMENTS.—A condition for the
 25 receipt of a grant under subsection (a) is that the State

1 involved agrees that the statewide plan under such sub-
2 section will with respect to public health emergencies in-
3 clude provisions for each of the following:

4 “(1) Providing mental health services relating
5 to crisis counseling, outreach and screening pro-
6 grams, early intervention services, extended thera-
7 peutic services, needs assessments, and case finding
8 and other outreach services, taking into account the
9 need for increased capacity to provide services pur-
10 suant to such emergencies.

11 “(2) As necessary, carrying out paragraph (1)
12 with respect to special populations such as children,
13 the elderly, individuals with disabilities, and individ-
14 uals with pre-existing mental health disorders.

15 “(3) Coordinating the provision of mental
16 health services with appropriate public and private
17 providers of emergency medical services and with
18 Federal, State, and local programs that provide
19 funding for such services.

20 “(4) Coordinating with local educational agen-
21 cies.

22 “(5) Providing information and education to
23 the public during public health emergencies.

1 “(6) Providing, at times other than public
2 health emergencies, information and education to
3 the public regarding the statewide plan.

4 “(7) Designation of the State official who will
5 have the principal responsibility for administering
6 such plan, including the initial implementation of
7 the plan.

8 “(c) AUTHORIZATION OF APPROPRIATIONS.—For the
9 purpose of carrying out this section, there is authorized
10 to be appropriated \$65,000,000 for each of the fiscal years
11 2008 through 2010.”.

12 **SEC. 4. NATIONAL MENTAL HEALTH CRISIS RESPONSE**
13 **TECHNICAL ASSISTANCE CENTER.**

14 Subpart 3 of part B of title V of the Public Health
15 Service Act (42 U.S.C. 290bb–31 et seq.), as amended by
16 sections 2 and 3, is further amended by adding at the end
17 the following:

18 **“SEC. 520M. NATIONAL MENTAL HEALTH CRISIS RESPONSE**
19 **TECHNICAL ASSISTANCE CENTER.**

20 “(a) IN GENERAL.—The Secretary, acting through
21 the Director of the Center for Mental Health Services,
22 shall establish within such center an administrative unit
23 to be known as the National Mental Health Crisis Re-
24 sponse Technical Assistance Center (referred to in this
25 section as the ‘Technical Assistance Center’).

1 “(b) DUTIES.—The purpose of the Technical Assist-
2 ance Center is to carry out, in accordance with policies
3 of the Director of the Center for Mental Health Services,
4 the following functions:

5 “(1) Provide consultation and technical assist-
6 ance to the Director, and to State and local govern-
7 mental providers of mental health services, on devel-
8 oping and implementing plans for providing appro-
9 priate mental health services in response to public
10 health emergencies, including statewide plans under
11 section 520K(d).

12 “(2) Provide technical expertise on planning,
13 preparedness, and response evaluation activities.

14 “(3) Develop policy guidelines on mental health
15 concerns related to crisis incidents and develop rec-
16 ommendations for proposed regulations and legisla-
17 tive proposals.

18 “(4) Develop and conduct training events and
19 conferences on mental health needs of disaster vic-
20 tims and witnesses.

21 “(5) Serve as the principal clearinghouse oper-
22 ated by the Secretary for the collection and dissemi-
23 nation of information concerning the mental health
24 aspects of public health emergencies, including infor-
25 mation on published documents, information on

1 technical assistance resources, and information on
2 relevant Internet sites.

3 “(6) Assist States in preparing for the behav-
4 ioral health consequences of terrorism.

5 “(7) Provide onsite technical expertise during
6 public health emergencies, when requested by a
7 State.

8 “(c) CERTAIN AUTHORITY.—The Technical Assist-
9 ance Center may carry out the functions under subsection
10 (b) directly or through grant or contract, subject to the
11 approval of the Director of the Center for Mental Health
12 Services.

13 “(d) AUTHORIZATION OF APPROPRIATIONS.—For the
14 purpose of carrying out this section, there is authorized
15 to be appropriated \$6,000,000 for each of the fiscal years
16 2008 through 2010.”.

17 **SEC. 5. MENTAL HEALTH PROFESSIONALS TRAINING**
18 **GRANTS.**

19 Subpart 3 of part B of title V of the Public Health
20 Service Act (42 U.S.C. 290bb–31 et seq.), as amended by
21 sections 2, 3, and 4, is further amended by adding at the
22 end the following:

1 **“SEC. 520N. MENTAL HEALTH PROFESSIONALS TRAINING**
2 **GRANTS.**

3 “(a) IN GENERAL.—The Secretary, acting through
4 the Director of the Center for Mental Health Services,
5 shall award grants to eligible entities to enable such enti-
6 ties to provide for the training of mental health profes-
7 sionals with respect to the treatment of individuals who
8 are victims of disasters.

9 “(b) ELIGIBILITY.—To be eligible to receive a grant
10 under subsection (a) an entity shall—

11 “(1) be a—

12 “(A) regional center of excellence; or

13 “(B) a mental health professional society;

14 and

15 “(2) prepare and submit to the Secretary an
16 application at such time, in such manner, and con-
17 taining such information as the Secretary may re-
18 quire.

19 “(c) USE OF FUNDS.—An entity that receives a grant
20 under this section shall use amounts received under the
21 grant to provide for the training of mental health profes-
22 sionals to enable such professionals to appropriately diag-
23 nose individuals who are the victims of disasters with re-
24 spect to their mental health and to provide for the proper
25 treatment of the mental health needs of such individuals.

1 “(d) TRAINING MATERIALS AND PROCEDURES.—The
2 Director of the Center for Mental Health Services, in con-
3 sultation with the Director of the National Institute of
4 Mental Health, the National Center for Post-Traumatic
5 Stress Disorder, the International Society for Traumatic
6 Stress Studies, and the heads of other similar entities,
7 shall develop training materials and procedures to assist
8 grantees under this section.

9 “(e) DEFINITION.—In this section, the term ‘mental
10 health professional’ includes psychiatrists, psychologists,
11 psychiatric nurses, mental health counselors, marriage and
12 family therapists, social workers, pastoral counselors,
13 school psychologists, licensed professional counselors,
14 school guidance counselors, and any other individual prac-
15 ticing in a mental health profession that is licensed or reg-
16 ulated by a State agency.

17 “(f) AUTHORIZATION OF APPROPRIATIONS.—There
18 are authorized to be appropriated to carry out this section
19 such sums as may be necessary for each of the fiscal years
20 2008 through 2010.

21 “(g) PROGRAM MANAGEMENT.—In carrying out this
22 section, the Secretary may use amounts appropriated
23 under subsection (f) for the administration of the program
24 under this section.”.

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