

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.

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IN THE HOUSE OF REPRESENTATIVES

JUNE 11, 2007

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

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## 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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