



State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-4928/1
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2019 SENATE BILL 608

December 6, 2019 - Introduced by Senators DARLING, ROTH, OLSEN and CARPENTER, cosponsored by Representatives STEINEKE, ROHRKASTE, ZIMMERMAN, TITTL, MURPHY, DITTRICH, KRUG, PLUMER, TUSLER, MURSAU and STUCK. Referred to Committee on Health and Human Services.

1 **AN ACT to create** 20.435 (5) (by) and 51.445 of the statutes; **relating to:** creating
2 a school-based mental health consultation pilot program and making an
3 appropriation.

Analysis by the Legislative Reference Bureau

This bill requires the Department of Health Services to create and administer a school-based mental health consultation pilot program in Outagamie County to assist participating school-based providers in providing enhanced care to students with mental health care needs, to provide referral support for those students, and to provide additional services. The mental health consultation pilot program is not an emergency referral service. DHS must provide moneys to an organization that as of January 1, 2019, provided consultation services through the child psychiatry consultation program existing under current law, and the organization must meet certain criteria and provide consultation services through the consultation pilot program established by the bill. Under the bill, the consultation provider must have the capability to provide consultation services by telephone, and may also provide services by other means of communication. The consultation provider may also provide certain in-person or Internet site-based educational seminars and refresher courses provided to any participating school-based provider who uses the consultation pilot program, and these services are eligible for funding from DHS.

A consultation provider must report any information requested by DHS. The bill also requires DHS to conduct annual surveys of participating school-based providers who use the consultation pilot program and to submit a report on the program to the appropriate committees of the legislature by August 1, 2022.

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For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 20.005 (3) (schedule) of the statutes: at the appropriate place, insert
2 the following amounts for the purposes indicated:

	2019-20	2020-21
3 20.435 Health services, department of		
4 (5) MENTAL HEALTH AND SUBSTANCE ABUSE SERVICES		
5 (by) School-based mental health con-		
6 sultation pilot program GPR C	-0-	350,000

7 **SECTION 2.** 20.435 (5) (by) of the statutes is created to read:
8 20.435 (5) (by) *School-based mental health consultation pilot program.* As a
9 continuing appropriation, the amounts in the schedule for operating the
10 school-based mental health consultation pilot program under s. 51.445. The
11 department is prohibited from expending more than \$175,000 under this paragraph
12 in a particular fiscal year.

13 **SECTION 3.** 51.445 of the statutes is created to read:

14 **51.445 School-based mental health consultation pilot program.** (1) In
15 this section, “participating school-based providers” includes all of the following:

16 (a) A nurse, counselor, social worker, physical therapist, or occupational
17 therapist employed by a school or school district.

18 (b) A superintendent of a school district, a principal, a district administrator,
19 or a director of special education and pupil services.

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1 (2) The department shall create and administer a school-based mental health
2 consultation pilot program in Outagamie County to assist participating
3 school-based providers in providing enhanced care to students with mental health
4 care needs, to provide referral support for students, and to provide additional
5 services described in this section. The consultation pilot program created under this
6 section is not an emergency referral service.

7 (3) The department shall provide moneys to an organization that provided
8 consultation services through the child psychiatry consultation program under s.
9 51.442 as of January 1, 2019, and the organization shall provide consultation
10 services through the consultation pilot program under this section in Outagamie
11 County in a manner that maximizes medically appropriate access and services as
12 described under sub. (4).

13 (4) An organization providing consultation services through the consultation
14 pilot program under this section shall make available its own qualified provider or
15 consortium of providers. The organization shall successfully demonstrate that it
16 meets all of the following criteria:

17 (a) The organization has the required infrastructure to provide services within
18 Outagamie County.

19 (b) Any individual who would be providing consulting services through the
20 program is located in this state.

21 (c) The organization enters into a contract with the department agreeing to
22 satisfy all of the following criteria as a condition of providing services through the
23 consultation pilot program:

24 1. The organization has at the time of participation in the program a
25 psychiatrist, who is either eligible for certification or certified by the American Board

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1 of Psychiatry and Neurology, Inc., for either adult psychiatry or child and adolescent
2 psychiatry or both, and has and maintains additional staff as specified by the
3 department.

4 2. The organization operates during the normal business hours of Monday to
5 Friday between 8 a.m. and 5 p.m., excluding weekends and holidays.

6 3. The organization shall be able to provide consultation services as promptly
7 as is practicable.

8 4. The organization shall provide all of the following services:

9 a. Support for participating school-based providers to assist in the
10 management of students with mental health problems and to provide referral
11 support for students.

12 b. A triage-level assessment to determine the most appropriate response to
13 each request, including appropriate referrals to other mental health professionals.

14 c. When medically appropriate, diagnostic and therapeutic feedback.

15 d. Recruitment of other practices in Outagamie County to the provider's
16 services.

17 5. The organization shall have the capability to provide consultation services
18 by telephone, at a minimum.

19 **(5)** (a) An organization providing consultation services through the
20 consultation pilot program under this section may provide services by
21 teleconference, video conference, voice over Internet protocol, electronic mail, pager,
22 or in-person conference.

23 (b) The organization providing consultation services through the consultation
24 pilot program under this section may provide in-person or Internet site-based
25 educational seminars and refresher courses provided to any participating

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1 school-based provider who uses the consultation pilot program on a medically
2 appropriate topic within child psychiatry. These services are eligible for funding
3 from the department.

4 (6) An organization that provides consultation services through the
5 consultation pilot program under this section shall report to the department any
6 information as requested by the department.

7 (7) The department shall conduct annual surveys of participating
8 school-based providers who use the consultation pilot program under this section to
9 assess the amount of pediatric mental health care provided, self-perceived levels of
10 confidence in providing pediatric mental health services, and the satisfaction with
11 the consultations and the educational opportunities provided.

12 (8) By August 1, 2022, the department shall submit a report on the
13 school-based mental health consultation pilot program under this section to the
14 standing committees of the legislature with jurisdiction over health under s. 13.172
15 (3).

SECTION 4. Nonstatutory provisions.

16 (1) Notwithstanding s. 16.42 (1) (e), in submitting information under s. 16.42
17 for the 2021-23 biennial budget bill, the department of health services shall submit
18 information concerning the appropriation under s. 20.435 (5) (by) as though the total
19 amount appropriated under s. 20.435 (5) (by) for the 2020-21 fiscal year had been
20 \$175,000 instead of \$350,000.
21

SECTION 5. Fiscal changes.

22 (1) Notwithstanding s. 20.001 (3) (c), from the appropriation account under s.
23 20.435 (4) (bk), there is lapsed to the general fund \$350,000 in fiscal year 2020-21.
24

25 (END)