

116TH CONGRESS
2D SESSION

H. R. 8942

To amend the Public Health Service Act to authorize the Secretary of Health and Human Services to award grants to schools and school-based health centers to increase the number of behavioral health care providers in such schools and health centers, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 10, 2020

Mr. KENNEDY (for himself and Mr. FERGUSON) introduced the following bill;
which was referred to the Committee on Energy and Commerce

A BILL

To amend the Public Health Service Act to authorize the Secretary of Health and Human Services to award grants to schools and school-based health centers to increase the number of behavioral health care providers in such schools and health centers, 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 “Advancing Student
5 Services In Schools Today Act” or the “ASSIST Act”.

1 **SEC. 2. GRANT PROGRAM TO INCREASE THE NUMBER OF**
2 **BEHAVIORAL HEALTH CARE PROVIDERS IN**
3 **SCHOOLS AND SCHOOL-BASED HEALTH CEN-**
4 **TERS.**

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

8 **“SEC. 330N. GRANT PROGRAM TO INCREASE BEHAVIORAL**
9 **HEALTH CARE PROVIDERS IN SCHOOLS AND**
10 **SCHOOL-BASED HEALTH CENTERS.**

11 “(a) IN GENERAL.—Not later than 3 months after
12 the date of the enactment of this section, the Secretary,
13 in consultation with the Secretary of Education, shall
14 award grants to schools and school-based health centers
15 to increase the number of behavioral health care providers
16 in such schools and health centers.

17 “(b) APPLICATION.—A school or school-based health
18 center seeking a grant under this section shall submit an
19 application to the Secretary at such time, in such manner,
20 and accompanied by such information as the Secretary
21 may require, including a description of—

22 “(1) the behavioral health needs of the school
23 or health center; and

24 “(2) with respect to the student population
25 served by the school or health center, how the school
26 or health center will ensure that the behavioral

1 health care providers increased at the school or
2 health center, and the services administered by such
3 providers, are culturally and linguistically diverse.

4 “(c) REPORTS.—

5 “(1) SCHOOLS AND SCHOOL-BASED HEALTH
6 CENTERS.—A school or school-based health center
7 receiving a grant under this section shall submit an
8 annual report to the Secretary accompanied by such
9 information as the Secretary may require, includ-
10 ing—

11 “(A) the number of behavioral health care
12 providers increased at the school or health cen-
13 ter through the grant;

14 “(B) the types of services provided by the
15 behavioral health care providers and the effi-
16 cacy of such services;

17 “(C) the practices used by the school or
18 health center to recruit and retain behavioral
19 health care providers; and

20 “(D) the rates of retention of behavioral
21 health care providers at the school or health
22 center.

23 “(2) SECRETARY.—Not later than 18 months
24 after the date of the enactment of this section, and
25 annually thereafter, the Secretary shall submit to

1 Congress a report on the effectiveness of the grants
2 awarded pursuant to this section.

3 “(d) DEFINITIONS.—In this section:

4 “(1) BEHAVIORAL HEALTH CARE PROVIDER.—

5 The term ‘behavioral health care provider’ means an
6 individual who is licensed to provide mental and be-
7 havioral health services, including—

8 “(A) a school counselor;

9 “(B) a school psychologist or any other
10 psychologist;

11 “(C) a psychiatrist who specializes in child
12 or adolescent psychiatry; and

13 “(D) a school social worker.

14 “(2) SCHOOL.—The term ‘school’ means—

15 “(A) an elementary school or secondary
16 school (as such terms are defined in section
17 8101 of the Elementary and Secondary Edu-
18 cation Act of 1965);

19 “(B) an institution of higher education (as
20 defined in section 101 of the Higher Education
21 Act of 1965); and

22 “(C) a school operated by the Bureau of
23 Indian Affairs.

1 “(3) SCHOOL-BASED HEALTH CENTER.—The
 2 term ‘school-based health center’ has the meaning
 3 given such term in section 399Z–1(a)(3).”.

4 **SEC. 3. INCREASING THE APPLICABLE FMAP FOR STATE**
 5 **EXPENDITURES ATTRIBUTABLE TO CERTAIN**
 6 **BEHAVIORAL HEALTH SERVICES.**

7 Section 1905 of the Social Security Act (42 U.S.C.
 8 1396d) is amended—

9 (1) in subsection (b), by striking “and (ff)” and
 10 inserting “(ff), and (gg)”; and

11 (2) by adding at the end the following new sub-
 12 section:

13 “(gg)(1) Notwithstanding any preceding provision of
 14 this section, with respect to State expenditures for medical
 15 assistance consisting of behavioral health services fur-
 16 nished at a school (as defined in section 330N(d) of the
 17 Public Health Service Act) or at a school-based health cen-
 18 ter (as defined in section 399Z–1(a)(3) of such Act) on
 19 or after the date that is 3 months after the date of the
 20 enactment of this subsection, the Federal medical assist-
 21 ance percentage otherwise determined under subsection
 22 (b) shall, subject to paragraph (2), be equal to 90 percent.

23 “(2) Paragraph (1) shall not apply in the case of
 24 State expenditures described in such paragraph if applica-
 25 tion of such paragraph would result in a lower Federal

- 1 medical assistance percentage for such expenditures than
- 2 would otherwise apply without application of such para-
- 3 graph.”.

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