

SB135 ENGROSSED



1 SB135
2 GQHQCCC-2
3 By Senators Jones, Chesteen, Butler, Kelley, Stewart,
4 Coleman-Madison, Coleman, Barfoot
5 RFD: Veterans and Military Affairs
6 First Read: 20-Feb-24



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A BILL
TO BE ENTITLED
AN ACT

Relating to the Alabama Department of Mental Health; to add Chapter 58 of Title 22, Code of Alabama 1975; to require the Alabama Department of Mental Health to work collaboratively with the Alabama Department of Veterans Affairs to develop a comprehensive plan to address Alabama veterans' behavioral health needs and to provide funding of certain programs addressing specific behavioral health needs.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Chapter 58 is added to Title 22, Code of Alabama 1975, to read as follows:

Chapter 58

§22-58-1

As used in this chapter, the following terms have the following meanings:

- (1) ADMH. The Alabama Department of Mental Health.
- (2) ADMH COMMISSIONER. The Commissioner of the Alabama Department of Mental Health.
- (3) ADVA. The Alabama Department of Veterans Affairs.
- (4) ADVA COMMISSIONER. The Commissioner of the Alabama Department of Veterans Affairs.
- (5) BEHAVIORAL HEALTH CARE. The prevention, diagnosis,



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29 and treatment of mental health conditions, substance use
30 disorders, and behavioral health crisis.

31 (6) COMPREHENSIVE PLAN. The comprehensive plan
32 established pursuant to this chapter, as may be amended from
33 time to time, to address the behavioral health needs of
34 veterans as a supplement to services already offered in
35 Alabama.

36 (7) PTSD. Post traumatic stress disorder.

37 (8) RECOVERY. A process of change through which
38 individuals improve their health and wellness, live a
39 self-directed life, and strive to reach their full potential.

40 (9) TRAUMATIC BRAIN INJURY or TBI. An injury to the
41 brain caused by a forceful bump, blast, or jolt to the head or
42 body, or from an object that pierces the skull and enters the
43 brain, which can be the result of external forces, including,
44 but not limited to, assault or motor vehicle collisions.

45 (10) VETERAN. Any current resident of the state who:

46 a. Served in the active military, naval, air, or space
47 forces of the United States who was discharged or released
48 under conditions other than dishonorable;

49 b. Is or was a member of the Army National Guard or Air
50 National Guard who was discharged or released from service
51 under conditions other than dishonorable; or

52 c. Is or was a member of the reserve component of the
53 Armed Forces who was discharged or released from service under
54 conditions other than dishonorable.

55 §22-58-2

56 The Legislature finds the following:



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57 (1) ADMH is the state's lead agency for this act, as
58 well as the expert in the following areas:

59 a. Knowledge and expertise in behavioral health care
60 services.

61 b. Certifications and implementation of the Certified
62 Community Behavioral Health Clinic (CCBHC) model.

63 c. State and national standards of behavioral health
64 care, treatment, and services.

65 d. Infrastructure and best practices needed to
66 implement behavioral health care treatment, recovery, and
67 prevention services.

68 (2) ADVA is the state's expert in the following areas:

69 a. Military experience and culture.

70 b. Relationships and trust with Alabama veterans.

71 c. Knowledge of veterans' state and federal benefits
72 and resources.

73 d. Types of support needed for veterans to reintegrate
74 into civilian life.

75 §22-58-3

76 (a) The Veterans Mental Health Steering Committee is
77 established. The purpose of the committee is to develop a
78 comprehensive plan to address the behavioral health needs of
79 Alabama veterans.

80 (b) The committee shall include the following
81 individuals:

82 (1) The ADMH Commissioner, or his or her designee. The
83 ADMH Commissioner shall chair of the committee.

84 (2) The ADVA Commissioner, or his or her designee. The



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85 ADVA Commissioner shall vice-chair the committee.

86 (3) The Alabama Department of Rehabilitation Services
87 Commissioner, or his or her designee.

88 (4) The Adjutant General of the Alabama National Guard,
89 or his or her designee.

90 (5) During their tenure as legislators, the lead
91 sponsor for House Bill 197 and the lead sponsor for Senate
92 Bill 135 from the 2024 Regular Legislative Session, who, upon
93 leaving the Legislature, shall be replaced by the respective
94 chairs of the Senate and House Veterans and Military Affairs
95 Committees, or their designees.

96 (6) Representatives of two veterans service
97 organizations with expertise in mental health, substance use,
98 peer support, and other culturally competent care, appointed
99 by the ADVA Commissioner, who shall serve for initial terms of
100 one year and three years, respectively.

101 (7) Representatives of one other veterans support
102 organization, appointed by the ADVA Commissioner, who shall
103 serve for an initial term of four years, respectively.

104 (8) Three mental health and substance use providers
105 certified by ADMH who also serve veterans, appointed by the
106 ADMH Commissioner, who shall serve for initial terms of one,
107 two, and three years, respectively.

108 (9) The Associate Commissioner of the ADMH Division of
109 Mental Health and Substance Abuse Services shall serve as an
110 ex-officio, non-voting member of the committee.

111 (10) The Veterans Well-Being Program Manager of the
112 ADVA shall serve as an ex-officio, non-voting member of the



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113 committee.

114 (11) The Governor or his or her designee.

115 (12) The Lieutenant Governor or his or her designee.

116 (13) The Speaker of the Alabama House of
117 Representatives or his or her designee.

118 (14) The President Pro Tempore of the Senate, or his or
119 her designee.

120 (15) The minority leaders of the House of
121 Representatives and the Senate, or their designees.

122 (c) All appointing authorities shall coordinate their
123 appointments so that diversity of gender, race, and
124 geographical areas are reflective of the makeup of this state.
125 To the extent practicable, appointing authorities are
126 encouraged to prioritize appointments of service members,
127 veterans, and family members of veterans. The designee of a
128 committee member shall not be a health care provider or mental
129 health care provider.

130 (d) Meetings of the committee shall be held no less
131 than on a quarterly basis, or upon the call of the chair or a
132 majority of committee members. Appointments to the committee
133 shall be made by July 1, 2024, and the first meeting of the
134 committee shall be held by September 1, 2024. All meetings
135 shall comply with the Open Meetings Act.

136 §22-58-4

137 (a) ADMH shall work collaboratively with ADVA,
138 leveraging each other's roles, relationships, and expertise.
139 The committee shall develop a comprehensive plan in response
140 to a review of the following:



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141 (1) The current state of Alabama veterans' mental
142 health and rates of substance use.

143 (2) Mental health, substance use, recovery, and other
144 veteran support services in Alabama.

145 (3) Needs assessments previously conducted for the
146 purpose of identifying gaps in services and support. The
147 review of needs assessments shall include qualitative and
148 quantitative feedback of post-9/11 veterans in Alabama, as
149 well as the need for additional services and coordination of
150 existing services.

151 (b) The review shall be completed by January 1, 2025.

152 (c) The committee shall consult with others, to include
153 the United States Department of Veterans Affairs and the
154 Substance Abuse and Mental Health Services Administration, as
155 appropriate, during the development of the comprehensive plan.

156 (d) ADMH shall align the comprehensive plan with state
157 and national behavioral health standards.

158 §22-58-5

159 (a) ADMH may establish pilot projects utilizing
160 existing evidence-based services certified by ADMH or
161 organizations which agree to become certified by ADMH. Pilot
162 projects shall be awarded funding by ADMH through a fair and
163 transparent request for proposal process. Pilot projects may
164 begin upon the appropriation of funds and certification of
165 projects.

166 (b) The pilot projects may include any of the
167 following:

168 (1) Eye movement desensitization and reprocessing



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169 therapy as an evidence-based treatment for PTSD.

170 (2) TBI screenings integrated into behavioral health
171 services.

172 (3) Integrated behavioral health and primary care
173 models.

174 (4) Agencies that have successfully met the SAMHSA
175 criteria for the CCBHC model of care as certified by ADMH.

176 (c) Pilot projects shall be based on the findings of
177 the comprehensive plan.

178 §22-58-6

179 ADMH and ADVA shall present the proposed comprehensive
180 plan to the respective Veterans and Military Affairs
181 Committees of the Alabama House of Representatives and the
182 Alabama Senate for their review and input no later than April
183 1, 2025. ADMH shall then submit the proposed comprehensive
184 plan to the Governor by June 30, 2025, for review and
185 approval. The Governor shall act on the comprehensive plan no
186 later than August 31, 2025.

187 §22-58-7

188 (a) Upon approval of the Governor and subject to
189 sufficient appropriations, ADMH shall implement the
190 comprehensive plan with continued input from ADVA.

191 (b) ADMH shall contract with multiple entities to
192 implement pilot projects as described in Section 22-58-4 and
193 provide services under this chapter. Contracts for the
194 procurement of services shall be awarded on a competitive
195 basis through a request for proposal process. Both ADMH and
196 ADVA shall work collaboratively in the review and selection of



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197 the proposals in a fair and transparent manner.

198 (c) ADMH and ADVA shall comply with federal ethics laws
199 in regard to its role in this chapter.

200 (d) Implementation of this chapter shall be contingent
201 upon new funds appropriated by the Legislature. Nothing in this
202 act shall require existing resources to be diverted for this
203 purpose.

204 (e) All pilot projects and services implemented under
205 this act shall comply with all requirements, including data
206 reporting and certification standards, set out by ADMH. If a
207 recipient of funds fails to meet those requirements, ADMH may
208 demand recovery of the full amount of funds awarded. Upon
209 notification of any demand, ADMH shall also notify the
210 committee outlining the rationale for taking that action.

211 (f) During the committee's regular meetings, ADMH shall
212 update the committee on the progress of the comprehensive
213 plan's implementation.

214 (g) The committee shall conduct an annual review and may
215 make formal recommendations regarding the comprehensive plan.
216 ADMH shall align these recommendations to state and national
217 behavioral health standards and submit them to the Governor for
218 approval.

219 (h) To inform this annual review, ADMH shall report
220 annually to the committee the approximate number of veterans
221 served through the pilot projects, the services provided by
222 pilot projects, and the amount of funding expended for this
223 purpose, as well as other available datapoints as determined by
224 the committee.



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225 (i) Nothing in this act shall supersede or diminish the
226 existing powers enumerated to ADMH.

227 Section 2. This act shall become effective June 1,
228 2024.



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231 Senate

232 Read for the first time and referred20-Feb-24
233 to the Senate committee on Veterans
234 and Military Affairs
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236 Read for the second time and placed07-Mar-24
237 on the calendar:
238 0 amendments
239
240 Read for the third time and passed30-Apr-24
241 as amended
242 Yeas 33
243 Nays 0
244 Abstains 0
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Patrick Harris,
Secretary.

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