

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

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HOUSE BILL 75

Short Title: School Mental Health Screening Study. (Public)

Sponsors: Representatives Torbett, Lewis, Dobson, and Bell (Primary Sponsors).
For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Education - K-12, if favorable, Rules, Calendar, and Operations of the House

February 14, 2019

1 A BILL TO BE ENTITLED
2 AN ACT DIRECTING THE DEPARTMENT OF HEALTH AND HUMAN SERVICES AND
3 THE DEPARTMENT OF PUBLIC INSTRUCTION TO STUDY THE DEVELOPMENT
4 OF A MENTAL HEALTH SCREENING PROCESS FOR CHILDREN IN NORTH
5 CAROLINA PUBLIC SCHOOLS, AS RECOMMENDED BY THE HOUSE SELECT
6 COMMITTEE ON SCHOOL SAFETY.

7 The General Assembly of North Carolina enacts:

8 **SECTION 1.** The Department of Health and Human Services and the Department of
9 Public Instruction shall conduct a study to recommend a mental health screening process to
10 identify school children in North Carolina at risk of harming themselves or others. In conducting
11 this study, the Departments shall collaborate with the North Carolina Medical Board, the North
12 Carolina Psychology Board, organizations concerned with school mental health, and any other
13 stakeholders the Departments deem appropriate.

14 **SECTION 2.** The study shall examine at least all of the following issues:

- 15 (a) Whether the State should require a mental health screen to identify
16 school-aged children at risk of harming themselves or others.
- 17 (b) Which mental health professionals should conduct any mental health screen
18 of school-aged children in North Carolina, including whether specific training
19 or experience in working with school-aged children who might be at risk of
20 harming themselves or others should be required in addition to licensure as a
21 health care or mental health provider.
- 22 (c) What behaviors or mental health diagnoses the screen should be targeted to
23 identify.
- 24 (d) The format the screen is to take, including whether an independent mental
25 health screen must be developed, or whether an existing product may be used.
26 The study shall examine at least the Pearson BASC-2 Behavioral and
27 Emotional Screening System and the FastBridge Learning Social, Academic,
28 and Emotional Behavior Risk Screener to determine if either system could be
29 developed into, or used as, a state-wide screen.
- 30 (e) Whether the screen must be uniform throughout the State or whether the
31 Departments should create general guidelines to be followed by each local
32 school administrative unit.
- 33 (f) Creation of a policy to ensure that any children identified as being at risk of
34 harming themselves or others receive the mental health services they need to
35 ameliorate that risk. The study shall examine what type of mental health



- 1 providers can provide follow up services, whether these services may be
- 2 provided by mental health support staff employed by local school
- 3 administrative units, and the feasibility of local school administrative units
- 4 partnering with private organizations to provide these services.
- 5 (g) Creation of a policy regulating the storage of, and access to, the confidential
- 6 health information generated by a screen.
- 7 (h) The optimal age to initiate screening and whether screening should be
- 8 repeated at different ages.
- 9 (i) Whether parents will be permitted to opt out of the screen.
- 10 (j) Whether individuals who perform mental health screening of school-aged
- 11 children at risk of harming themselves or others should be immune from suit
- 12 for their actions and omissions in performing those screens.
- 13 (k) Any other issues the Departments deem necessary.
- 14 **SECTION 3.** The Departments shall report their findings to the Joint Legislative
- 15 Oversight Committee on Health and Human Services and the Joint Legislative Education
- 16 Oversight Committee no later than February 15, 2020.
- 17 **SECTION 4.** This act is effective when it becomes law.