MISSISSIPPI LEGISLATURE REGULAR SESSION 2021

By: Representative Hines

To: Universities and Colleges; Public Health and Human Services

HOUSE BILL NO. 43

AN ACT TO REQUIRE EACH PUBLIC UNIVERSITY AND COLLEGE TO PROVIDE ANNUAL MENTAL HEALTH ASSESSMENTS TO ALL MEMBERS OF EACH SCHOOL SPONSORED ATHLETIC ORGANIZATION GOVERNED BY THE RULES AND REGULATIONS OF A NATIONAL OR REGIONAL SPORTS ASSOCIATION OR CONFERENCE; TO PRESCRIBE THE MANNER BY WHICH THE ASSESSMENT MAY BE ADMINISTERED, THE TOOLS USED IN THE ASSESSMENTS AND BY WHOM THE ASSESSMENT MAY BE ADMINISTERED; TO REQUIRE EACH UNIVERSITY AND COLLEGE TO PARTNER WITH A LOCAL OR REGIONAL BEHAVIORAL HEALTH SPECIALIST TO ASSIST IN ADMINISTERING THE REQUIRED ASSESSMENTS OR SCREENINGS AND TO PROVIDE BACKEND COUNSELING SERVICES AND COURSE OF CARE PLANS; TO PERMIT UNIVERSITIES AND COLLEGES TO CONSULT THE DEPARTMENT OF MENTAL HEALTH FOR ADDITIONAL RESOURCES AND OTHER FORMS OF ASSISTANCE THROUGH STATE PROVIDERS OF BEHAVIORAL HEALTH SERVICES; TO REQUIRE EACH UNIVERSITY AND COLLEGE TO PROVIDE MENTAL HEALTH ASSESSMENTS TO MEMBERS OF THE GENERAL STUDENT POPULATION WHO HAVE AN ARREST RECORD; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. (1) Each state institution of higher learning and public community or junior college is required to provide annual mental health assessment to all members of each school sponsored athletic organization which is governed by the rules and regulations of a national or regional sports association or conference, or both association and conference.

(2) The mental health assessment shall be administered in order to provide a complete overview of the student athlete's

overall emotional state by determining how well the student athlete is able to think, reason and remember (cognitive functioning). While the assessment may be performed through a series of questions asked by a doctor for verbal or written responses, the student athlete's appearance, disposition, mood, behavior and ability to express oneself may also be considered as criteria factored into the complete assessment, and may also include digital screening tools or lab tests, such as tests of blood or urine samples.

(3) (a) The mental health assessment may be performed by any of the following:

(i) A primary care doctor;

(ii) A psychologist;

(iii) A psychiatrist;

(iv) A social worker;

(v) A behavioral therapist; or

(vi) A mental health counselor.

(b) The results of the mental health assessment shall remain confidential.

(4) Each state institution of higher learning and public community or junior college shall partner with a local or regional behavioral health specialist to assist the postsecondary institution to provide the required assessments and/or screenings and provide counseling and direction, a course of care for those student athletes who evidence mental health issues. The

postsecondary institutions may also consult the Mississippi Department of Mental Health to seek additional resources and forms of assistance through state providers of behavioral and mental health services.

(5) Each state institution of higher learning and public community or junior college shall also provide mental health assessments to any student enrolled in the general student population of the university or college who has an arrest record, whether the arrest occurred before or during the course of the student's enrollment at the university or college. Upon being informed of a student's arrest, the university or college, in addition to requiring the offending student to undergo a mental health assessment, may also recommend the student's participation in a mental health diversion pilot program as established under provisions of the Rivers McGraw Act.

SECTION 2. This act shall take effect and be in force from and after July 1, 2021.