

118TH CONGRESS
1ST SESSION

H. R. 822

To amend the Public Health Service Act to authorize the Secretary of Health and Human Services, acting through the Assistant Secretary for Mental Health and Substance Use, to award grants to eligible entities to establish or maintain a student mental health and safety helpline, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 2, 2023

Mr. STEWART (for himself and Ms. BONAMICI) 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, acting through the Assistant Secretary for Mental Health and Substance Use, to award grants to eligible entities to establish or maintain a student mental health and safety helpline, 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 “Student Mental Health
5 Helpline Act”.

1 **SEC. 2. GRANTS FOR STUDENT MENTAL HEALTH AND SAFE-**
2 **TY HELPLINE.**

3 Part D of title V of the Public Health Service Act
4 (42 U.S.C. 290dd et seq.) is amended by adding at the
5 end the following:

6 **“SEC. 553. GRANTS FOR STUDENT MENTAL HEALTH AND**
7 **SAFETY HELPLINE.**

8 “(a) IN GENERAL.—

9 “(1) ESTABLISHMENT OR MAINTENANCE
10 GRANTS.—The Secretary, acting through the Assist-
11 ant Secretary for Mental Health and Substance Use,
12 and in consultation with the Secretary of Education,
13 may award grants to eligible entities to establish or
14 maintain a student mental health and safety helpline
15 that—

16 “(A) is free and confidential;

17 “(B) is accessible to students through mul-
18 tiple platforms;

19 “(C) provides information to school offi-
20 cials about student health and safety issues, to
21 the extent permitted by the HIPAA privacy reg-
22 ulations; and

23 “(D) operates 24 hours a day, seven days
24 a week, every day of the year.

25 “(2) TRANSITION GRANTS.—

1 “(A) IN GENERAL.—The Secretary, acting
2 through the Assistant Secretary for Mental
3 Health and Substance Use, and in consultation
4 with the Secretary of Education, may award
5 grants to States, local governments, Indian
6 Tribes, and Tribal organizations to transition,
7 by not later than 2 years after the award of the
8 grant, a helpline that was in existence on the
9 day before the date of enactment of the Student
10 Mental Health Helpline Act to an agency or
11 subdivision whose primary responsibility relates
12 to health, public health, or education so as to
13 become eligible for grants under paragraph (1).

14 “(B) USE OF FUNDS.—A grant under sub-
15 paragraph (A) shall be used exclusively for
16 costs associated with the transition described in
17 such subparagraph.

18 “(b) APPLICATION OF HIPAA PRIVACY REGULA-
19 TIONS.—

20 “(1) COVERED ENTITY.—A helpline funded
21 under subsection (a)(1) shall be treated as a covered
22 entity (as defined in section 106.103 of title 45,
23 Code of Federal Regulations (or successor regula-
24 tions)), and information received by the helpline
25 from students contacting the helpline shall be treat-

1 ed as protected health information (as defined in
2 such section 106.103 (or successor regulations)), for
3 purposes of the HIPAA privacy regulations.

4 “(2) ADDITIONAL PRIVACY STANDARDS.—Noth-
5 ing in this section shall be construed to preempt or
6 otherwise prohibit the application, with respect to a
7 helpline funded under this section, of privacy stand-
8 ards in addition to those applicable under the
9 HIPAA privacy regulations.

10 “(c) ELIGIBLE GRANTEES.—To be eligible to receive
11 a grant under subsection (a)(1), an entity shall be an
12 agency or other subdivision—

13 “(1) of a State, a local government, an Indian
14 Tribe, or a Tribal organization; and

15 “(2) whose primary responsibility relates to
16 health, public health, or education.

17 “(d) REQUIREMENTS.—A recipient of a grant under
18 subsection (a)(1) shall use the grant for each of the fol-
19 lowing:

20 “(1) Supporting a phone line, texting, and so-
21 cial media accounts for students facing challenges
22 with abuse, bullying, depression, risk of self-injury,
23 risk of injury to others, or suicidal thoughts.

24 “(2) Providing such support in a culturally
25 competent manner, including to students who—

1 “(A) are from diverse backgrounds; or

2 “(B) identify with groups associated with a
3 higher risk of bullying, abuse, and suicide, such
4 as individuals who are LGBTQ or have disabili-
5 ties.

6 “(3) Coordinating with—

7 “(A) other mental health crisis lines;

8 “(B) State and local mental health agen-
9 cies and providers, local educational agencies,
10 school administrators, and community-based
11 health service providers; and

12 “(C) in cases of neglect and abuse, State
13 and local family service agencies.

14 “(4) Ensuring that—

15 “(A) activities funded through the grant
16 are conducted in accordance with all applicable
17 Federal and State privacy standards; and

18 “(B) health care information collected
19 through such activities will be maintained in a
20 secure manner.

21 “(5) Developing a disaster recovery plan and
22 redundancy measures to ensure continuous technical
23 operations.

1 “(e) OTHER ALLOWABLE USES.—A recipient of a
2 grant under subsection (a)(1) may choose to use the grant
3 for any of the following:

4 “(1) Supporting forms of communication in ad-
5 dition to those specified in subsection (d)(1), such as
6 online forms and an email account.

7 “(2) In addition to coordinating with the enti-
8 ties specified in subsection (d)(3), coordinating with
9 nonprofit organizations and institutions of higher
10 education.

11 “(3) Developing educational curricula that
12 schools may choose to offer, in conjunction with the
13 helpline funded through the grant, to remove the
14 stigma of mental illness, prevent bullying, prevent
15 domestic violence, prevent suicide, or otherwise ad-
16 dress student mental health and safety.

17 “(4) Promoting activities to encourage students
18 to use the helpline funded through the grant.

19 “(5) Collecting and analyzing data on the use
20 of the helpline funded through the grant to improve
21 and adjust services offered through the helpline.

22 “(6) Providing support in multiple languages in
23 areas with a high concentration of multiple language
24 speakers.

1 “(7) Developing, in accordance with best prac-
2 tices and guidelines of the Substance Abuse and
3 Mental Health Services Administration for behav-
4 ioral health crisis care, protocols and training for
5 identifying and responding to students who present
6 an imminent risk of harming themselves or others.

7 “(8) Providing training, technology, and per-
8 sonnel necessary to comply with the HIPAA privacy
9 regulations or other relevant privacy standards.

10 “(9) Coordinating and sharing best practices
11 with other student mental health and safety
12 helplines, including other helplines funded pursuant
13 to this section.

14 “(10) Sharing personnel (such as crisis coun-
15 selors), services (such as technology and data man-
16 agement services), and other resources deemed ap-
17 propriate by the Secretary with other mental health
18 and safety helplines that—

19 “(A) are operated by the recipient of the
20 grant; or

21 “(B) are operated by another entity and
22 funded through the Substance Abuse and Men-
23 tal Health Services Administration.

24 “(f) PERIOD OF A GRANT.—The period of a grant
25 under subsection (a)(1) shall be not less than 5 years.

1 “(g) SUBGRANTS AND CONTRACTS.—

2 “(1) AUTHORIZATION.—A recipient of a grant
3 under subsection (a)(1) may award subgrants and
4 enter into contracts to carry out activities funded
5 through the grant.

6 “(2) ELIGIBLE SUBGRANTEES AND CONTRAC-
7 TORS.—To be eligible to receive a subgrant or con-
8 tract under paragraph (1), an entity shall be—

9 “(A) a local educational agency;

10 “(B) an institution of higher education;

11 “(C) a nonprofit organization;

12 “(D) a for-profit organization that pro-
13 vides—

14 “(i) website or data management serv-
15 ices;

16 “(ii) specialized staff trained in crisis
17 intervention to answer incoming messages;
18 or

19 “(iii) other products or services
20 deemed by the Secretary to be appropriate
21 for establishing or maintaining a helpline
22 funded under subsection (a)(1);

23 “(E) a school; or

1 “(F) another type of entity deemed by the
2 Secretary to be appropriate for subgrants or
3 contracts under paragraph (1).

4 “(3) ACCREDITATION.—To be eligible to receive
5 a subgrant or contract under paragraph (1) for spe-
6 cialized staff trained in crisis intervention to answer
7 incoming messages, an entity shall be accredited by
8 a nationally recognized accreditation entity that ap-
9 plies current evidence-based practices related to
10 mental and behavioral health.

11 “(4) PRIORITY.—In awarding subgrants and
12 contracts under paragraph (1), a recipient of a
13 grant under subsection (a)(1) shall give priority to
14 eligible entities that—

15 “(A) retain a licensed mental health care
16 practitioner on staff; and

17 “(B) participate in the network of the Na-
18 tional Suicide Prevention Lifeline.

19 “(h) REPORTING.—

20 “(1) ANNUAL REPORTS TO CONGRESS.—Each
21 fiscal year for which grants are awarded under sub-
22 section (a)(1) or (a)(2), the Secretary shall—

23 “(A) study the results of the grants; and

24 “(B) submit to the Congress a report on
25 such results, including—

1 “(i) an evaluation of the outcomes of
2 the programs under subsections (a)(1) and
3 (a)(2);

4 “(ii) a summary of activities carried
5 out with grants under subsections (a)(1)
6 and (a)(2) and the results achieved
7 through those activities;

8 “(iii) to the extent practicable, the de-
9 mographics of students served and nature
10 of messages received through grants under
11 subsections (a)(1) and (a)(2); and

12 “(iv) in the case of grants under sub-
13 section (a)(2), an analysis of changes in
14 the outcomes, activities, demographics, and
15 nature of messages described in clauses (i),
16 (ii), and (iii) as a result of transitioning
17 helplines to different agencies or subdivi-
18 sions.

19 “(2) REPORT ON FEASIBILITY OF A NATIONAL
20 STUDENT HELPLINE.—Not later than 1 year after
21 the date of enactment of the Student Mental Health
22 Helpline Act, the Secretary, in consultation with the
23 Secretary of Education and the Chair of the Federal
24 Communications Commission, shall publish a report
25 on—

1 “(A) the feasibility of making a student
2 mental health and safety helpline nationally
3 available;

4 “(B) how to successfully integrate the
5 helplines of States and other entities into a con-
6 solidated national student mental health and
7 safety helpline; and

8 “(C) the feasibility and potential benefits
9 and drawbacks of adding a student-specific ca-
10 pability to the National Suicide Prevention
11 Lifeline.

12 “(i) DEFINITIONS.—In this section:

13 “(1) The term ‘HIPAA privacy regulations’
14 means the Federal regulations (concerning the pri-
15 vacy of individually identifiable health information)
16 promulgated under section 264(c) of the Health In-
17 surance Portability and Accountability Act of 1996
18 (42 U.S.C. 1320d–2 note).

19 “(2) The terms ‘Indian Tribe’ and ‘Tribal orga-
20 nization’ have the meanings given to such terms in
21 section 4 of the Indian Self-Determination and Edu-
22 cation Assistance Act.

23 “(3) The term ‘institution of higher education’
24 has the meaning given to such term in section 101
25 of the Higher Education Act of 1965.

1 “(4) The term ‘local educational agency’ has
2 the meaning given to such term in section 8101 of
3 the Elementary and Secondary Education Act of
4 1965.

5 “(5) The term ‘State’ includes the District of
6 Columbia and each territory or commonwealth of the
7 United States.

8 “(j) AUTHORIZATION OF APPROPRIATIONS.—To
9 carry out this section, there is authorized to be appro-
10 priated \$55,000,000 for each of fiscal years 2024 through
11 2034.”.

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