

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

HOUSE BILL 615

54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2019

INTRODUCED BY

Raymundo Lara and Willie D. Madrid

AN ACT

RELATING TO EDUCATION; REQUIRING ANNUAL TRAINING IN VARIOUS ASPECTS OF MENTAL HEALTH FOR ALL PUBLIC EDUCATION PERSONNEL; REQUIRING THE PROVISION OF MENTAL HEALTH TRAINING TO STUDENTS' FAMILIES; REQUIRING THE CREATION OF TRAINING MATERIALS IN CONSULTATION WITH THE DEPARTMENT OF HEALTH, THE CHILDREN, YOUTH AND FAMILIES DEPARTMENT AND THE HUMAN SERVICES DEPARTMENT; PROVIDING FOR NO PRIVATE RIGHT OF ACTION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. A new section of the School Personnel Act is enacted to read:

"~~[NEW MATERIAL]~~ TRAINING IN STUDENT MENTAL HEALTH NEEDS REQUIRED--NO PRIVATE RIGHT OF ACTION.--

A. The department shall:

(1) require all public school personnel,

underscoring material = new
~~[bracketed material] = delete~~

1 including ancillary staff, instructional support providers and
2 volunteers, to annually receive training regarding:

3 (a) early identification of social,
4 emotional and behavioral problems, or substance use disorders
5 and the provision of early intervention services;

6 (b) techniques and supports needed to
7 early identify those children with trauma histories and
8 children with, or at risk of, mental illness;

9 (c) the use of referral processes that
10 link children and families to appropriate treatment and
11 intervention services in the school and in the community and
12 processes to follow up with children and families when services
13 are not available;

14 (d) strategies that promote a schoolwide
15 positive environment; and

16 (e) strategies for promoting the social,
17 emotional, mental and behavioral health of all students;

18 (2) regularly provide opportunities to
19 students' parents, siblings and other family members for
20 training that is substantially similar to that provided for in
21 Subparagraphs (a) through (e) of Paragraph (1) of this
22 subsection, which may include classes, workshops, seminars or
23 community health events that introduce students and their
24 families to local behavioral health service providers; and

25 (3) in consultation with the department of

.212648.2

1 health, the children, youth and families department and the
2 human services department, develop course materials to
3 effectuate the training outlined in Paragraphs (1) and (2) of
4 this subsection, including materials that address:

5 (a) programs and activities related to
6 mental health;

7 (b) eating disorders;

8 (c) suicide prevention;

9 (d) behavioral health disorders;

10 (e) safe techniques to de-escalate
11 crisis situations;

12 (f) identification of signs and symptoms
13 of early stages of mental illness and behavioral health issues;
14 and

15 (g) the use of evidence-based practices
16 and programs, including mental health first aid or core
17 elements of similar programs.

18 B. No person shall have a cause of action for any
19 loss or damage caused by any act or omission resulting from the
20 implementation of the provisions of this section or resulting
21 from any training, or lack thereof, required by this section.

22 C. The training, or lack thereof, required by the
23 provisions of this section shall not be construed to impose any
24 specific duty of care."