



**STATE OF DELAWARE
STATE COUNCIL FOR PERSONS WITH DISABILITIES**

Margaret M. O'Neill Bldg., Suite 1
Dover, Delaware 19901
302-739-3621

The Honorable John Carney
Governor

John A. McNeal
Director

MEMORANDUM

DATE: April 29, 2019

TO: All Members of the Delaware State Senate
and House of Representatives

FROM: Mr. J. Todd Webb, Chairperson
State Council for Persons with Disabilities

RE: H.B. 100 (Mental Health Units for High-Risk K-5 Schools)

The State Council for Persons with Disabilities (SCPD) has reviewed H.B. 100 which seeks to create funding for mental health units for K-5 schools. As defined in the proposed legislation one "unit" means one full-time counselor, school social worker or licensed clinical social worker for every 250 students, and one full-time school psychologist for every 700 students. According to the bill's preamble, currently "86% of Delaware elementary schools do not employ a school social worker," and although experts recommend a maximum ratio of 250 students for every full-time counselor, Delaware's statewide ratio for elementary schools is approximately 580 students to each counselor. According to the bill, any full units must be used in the school that generated the unit, however fractional units may potentially be combined and "used to further increase the amount of mental health services available."

To date, efforts to expand mental health services in public schools have been piecemeal due to limited resources. Currently, the Division of Prevention and Behavioral Health (DPBHS) has contracted Family Crisis Therapists placed in fifty-two elementary schools throughout the state. These therapists are authorized to work with both children and their families; however, they are only available in a fraction of Delaware elementary schools. More recently, The Department of Services for Children, Youth and Families (including DPBHS) along with the Department of Education, are using a new grant from SAMHSA to pilot what is being called Project DeLAWARE in three school districts (Colonial, Capital, and Indian River). The objectives of Project DeLAWARE will include additional training for school staff on issues relating to mental health as well as the creation of additional in-school clinician positions. See, e.g., "Delaware

Receives \$9M Federal Grant to Expand Mental Health Supports in Schools,”
<https://news.delaware.gov/2018/09/24/delaware-receives-9m-federal-grant-expand-mental-health-supports-schools/>.

SCPD endorses the proposed legislation but has the following observations and recommendations that may improve the bill. SCPD encourages the allocation of additional resources toward integrating counseling and mental health services into school environments, as this encourages early intervention and referral to more intensive outpatient services when needed; therefore, decreasing the likelihood of a child requiring treatment in an institution setting. Enabling children to access these services in their school without their parents needing to make separate arrangements for appointments and transportation would likely increase the likelihood of a child accessing some form of treatment (the bill refers to a statistic that “youth with access to mental health services in school-based health centers are 10 times more likely to seek care for mental health or substance abuse than youth without access”).

In addition, there is a concern whether there would be enough clinicians with the right training and certifications to fill the roles created by the bill. Across the nation, shortages are being reported in the fields of psychiatry, psychology and social work. Delaware faces particular challenges because there is no in-state medical school and large parts of the state are very rural. Additionally, following the passage of H.B. House Bill 311 in the 149th General Assembly, as of June 2019, Delaware will require that all licensed clinical social workers (LCSWs) have a master's degrees in social work or an approved doctoral degree, and will institute licensing requirements for all social workers practicing in Delaware, both clinical and non-clinical. See 24 Del. C. § 3901, et seq. While these changes were intended to improve quality and accountability in the practice of social work, they may decrease the number of social workers eligible for the positions created by this bill. It is unclear if Licensed Professional Counselors of Mental Health are included as clinicians who can provide mental health services provided by the legislation, This needs to be clarified and SCPD recommends that the legislation be amended to ensure that anyone fulfilling the roles created by the legislation have appropriate training in mental health services.

Finally, the extent that there are both additional school staff hired through the allocation of mental health units and the other efforts on the part of state agencies described above are occurring in the same buildings or districts, it is essential that there is good coordination in order to maximize the resources available and serve as many students as possible.

Thank you for your consideration and please contact SCPD if you have any questions regarding our position, observations or recommendations on the proposed legislation.

cc: Ms. Laura Waterland, Esq.
Governor’s Advisory Council for Exceptional Citizens
Developmental Disabilities Council

P&L/H.B. 100 mental health units for high-risk k-5 schools 4-18-19