

## S 2872

Promoting Healthy Minds for Safer Communities Act of 2014

**Congress:** 113 (2013–2015, Ended)

**Chamber:** Senate

**Policy Area:** Health

**Introduced:** Sep 18, 2014

**Current Status:** Read twice and referred to the Committee on the Judiciary.

**Latest Action:** Read twice and referred to the Committee on the Judiciary. (Sep 18, 2014)

**Official Text:** <https://www.congress.gov/bill/113th-congress/senate-bill/2872>

### Sponsor

**Name:** Sen. Blumenthal, Richard [D-CT]

**Party:** Democratic • **State:** CT • **Chamber:** Senate

### Cosponsors

*No cosponsors are listed for this bill.*

### Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	Senate	Referred To	Sep 18, 2014

### Subjects & Policy Tags

**Policy Area:**

Health

### Related Bills

Bill	Relationship	Last Action
113 S 195	Related bill	<b>Dec 9, 2014:</b> Committee on the Judiciary Senate Subcommittee on Crime and Terrorism. Hearings held. With printed Hearing: S.Hrg. 113-894.
113 HR 4783	Related bill	<b>Jul 21, 2014:</b> Referred to the Subcommittee on Crime, Terrorism, Homeland Security, and Investigations.
113 S 162	Related bill	<b>May 21, 2014:</b> Motion to proceed to consideration of measure made in Senate. (consideration: CR S3195-3196)
113 HR 401	Related bill	<b>Feb 28, 2013:</b> Referred to the Subcommittee on Crime, Terrorism, Homeland Security, And Investigations.
113 HR 628	Related bill	<b>Feb 15, 2013:</b> Referred to the Subcommittee on Health.

Promoting Healthy Minds for Safer Communities Act of 2014 - **Title I: Strengthening and Improving Intervention Efforts** - Requires the Secretary of Health and Human Services (HHS) to establish a program to award grants to states, political subdivisions, or nonprofit private entities for the expansion of mental health crisis assistance programs.

Amends the Public Health Service Act to revise a community children and violence program to assist local communities and schools in applying a public health approach to mental health services, including by: (1) revising eligibility requirements for a grant, contract, or cooperative agreement; and (2) providing for comprehensive school mental health programs that are culturally and linguistically appropriate, trauma-informed, and age appropriate. Requires a comprehensive school mental health program funded under this Act to assist children in dealing with trauma and violence. Makes only a partnership between a local educational agency and at least one community program or agency that is involved in mental health eligible for such funding.

Sets forth assurances required for eligibility, including that: (1) the local education agency will enter into a memorandum of understanding with at least one relevant community-based entity that clearly states how school-employed mental health professionals will be utilized and the responsibilities of each partner; (2) the program will include training of all school personnel, family members of children with mental health disorders, and concerned members of the community; and (3) the program will demonstrate the measures to be taken to sustain the program after funding terminates.

Requires grantees to comply with the health information privacy requirements of the Health Insurance Portability and Accountability Act of 1996 (HIPAA).

Requires the Administrator of the Substance Abuse and Mental Health Services Administration to develop a fiscally appropriate process for evaluating grant program activities, including: (1) the development of guidelines for the submission of program data by recipients; and (2) the development of measures of outcomes to be applied by recipients in evaluating programs, to include student and family measures and local educational measures.

Amends the Mentally Ill Offender Treatment and Crime Reduction Act of 2004 to: (1) expand the assistance provided under such Act, and (2) reauthorize appropriations for FY2015-FY2019.

Authorizes the Attorney General to award grants to establish or expand: (1) veterans treatment court programs, which involve collaboration among criminal justice, veterans, and mental health and substance abuse agencies to provide qualified veterans (preliminarily qualified offenders who were discharged from the armed forces under conditions other than dishonorable) with intensive judicial supervision and case management, treatment services, alternatives to incarceration, and other appropriate services, including housing, transportation, job training, education, and assistance in obtaining benefits; (2) peer to peer services or programs to assist such veterans in obtaining treatment, recovery, stabilization, or rehabilitation; (3) practices that identify and provide treatment, rehabilitation, legal, transitional, and other appropriate services to such veterans who have been incarcerated; and (4) training programs to teach criminal justice, law enforcement, corrections, mental health, and substance abuse personnel how to identify and respond to incidents involving such veterans.

Revises the definition of "preliminarily qualified offender" to include, for purposes of a veterans treatment court program, an adult or juvenile accused of an offense who has been diagnosed with, or manifests obvious signs of, mental illness or a substance abuse disorder or co-occurring mental illness and substance abuse disorder. Removes a requirement that the adult or juvenile be accused of a nonviolent offense. Requires preliminarily qualified offenders to be unanimously

approved for participation in a collaboration program by, when appropriate, the relevant prosecuting attorney, defense attorney, probation or corrections official, judge, and representative from the relevant mental health agency.

Authorizes the Attorney General to award grants to enhance the capabilities of a correctional facility to: (1) identify and screen for mentally ill inmates; (2) plan and provide assessments of the clinical, medical, and social needs of inmates and appropriate treatment and services that address mental health and substance abuse needs; (3) develop, implement, and enhance post-release transition plans that coordinate services and public benefits, the availability of mental health care and substance abuse treatment services, alternatives to solitary confinement and segregated housing, and mental health screening and treatment for inmates placed in solitary confinement or segregated housing; and (4) train employees in identifying and responding to incidents involving inmates with mental health disorders or co-occurring mental health and substance abuse disorders.

Authorizes the Attorney General to: (1) award not more than six grants per year to applicants for the purpose of reducing the use of public services by mentally ill individuals who consume a significantly disproportionate quantity of public resources, and (2) make grants to provide support for programs that teach law enforcement personnel how to identify and respond to incidents involving persons with such disorders. Directs the Attorney General to give priority in awarding grants for adult or juvenile collaboration programs to applications that: (1) propose interventions that have been shown by empirical evidence to reduce recidivism, and (2) use validated assessment tools to target preliminarily qualified offenders with a moderate or high risk of recidivism and a need for treatment and services.

**Title II: Improving Mental Health Research** - Directs the Secretary to expand research on self-directed and other-directed violence associated with mental illness.

**Title III: Understanding the Epidemic of Gun Violence** - Requires the Secretary to expand: (1) the National Violent Death Reporting System to all 50 states, and (2) research and grants of the Centers for Disease Control and Prevention (CDC) to address gun violence. Authorizes FY2015-FY2019 appropriations for CDC research and grants.

**Title IV: Mental Health and Access to Firearms** - Amends federal criminal code prohibitions on the sale, purchase, transport, or possession of firearms or ammunition to specify that prohibitions with respect to persons committed to a mental institution apply to persons committed on an involuntary inpatient or involuntary outpatient basis.

Authorizes the Attorney General to reserve not more than 5% of Edward Byrne Memorial Justice Assistance Grant Program funds for grants to states that: (1) give state and local law enforcement officers the authority to seize firearms or ammunition from an individual pursuant to a warrant, if there is probable cause to believe the individual poses an elevated risk of harm to himself or herself or to another individual; or (2) temporarily prohibit an individual involuntarily hospitalized for mental illness on an emergency basis from possessing a firearm or ammunition.

Directs the Attorney General to establish a system for the prompt notification of state and local enforcement agencies when the National Instant Criminal Background Check System (NICS) notifies a licensed dealer that an individual attempting to obtain a firearm is prohibited from possessing a firearm under federal or state law.

**Title V: Restoration** - Amends the NICS Improvement Amendments Act of 2007 to set forth procedures for persons adjudicated to have a mental disorder or committed to a mental institution to apply for relief (restoration of firearm ownership rights) after one year by submitting an opinion of a psychiatrist or licensed clinical psychologist in order to seek a determination by the adjudicating agency that the person no longer manifests the symptoms that elevate the risk of harm.

**Title VI: Submission of Mental Health Records to National Instant Criminal Background Check System** - Requires the Director of the Bureau of Justice Statistics to report annually to Congress regarding the number of persons reported by each state to NICS who are prohibited from possessing or receiving a firearm based on a conviction for a misdemeanor crime of domestic violence.

Reauthorizes the national criminal history improvement program for FY2015-FY2018.

Requires the Attorney General to establish a four-year implementation plan for each state or Indian tribal government desiring a grant to improve the automation and transmittal to federal and state repositories of: (1) mental health records and criminal history dispositions, (2) records relevant to determining whether a person has been convicted of a misdemeanor crime of domestic violence, (3) court orders, and (4) mental health adjudications or commitments.

Requires each federal agency in possession of records relevant to a determination of whether a person is disqualified from possessing or receiving a firearm under specified circumstances to make such records, updated at least quarterly, available to the Attorney General for use in NICS background checks.

Directs HHS, under HIPAA, to allow states to make information concerning persons adjudicated as a mental defective or those committed to mental institutions available for NICS.

### **Actions Timeline**

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- **Sep 18, 2014:** Introduced in Senate
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