

By: Representative Hines

To: Universities and
Colleges; Public Health and
Human Services

HOUSE BILL NO. 128

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

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

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

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



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

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

- 37 (i) A primary care doctor;
- 38 (ii) A psychologist;
- 39 (iii) A psychiatrist;
- 40 (iv) A social worker;
- 41 (v) A behavioral therapist; or
- 42 (vi) A mental health counselor.

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

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



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

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

66 **SECTION 2.** This act shall take effect and be in force from
67 and after July 1, 2024.

