

Texas Child Mental Health Care Consortium

Governance Plan

May 15, 2023

TCMHCC and the Consortium will be used interchangeably in this document to refer to the Texas Child Mental Health Care Consortium.

Background

TCMHCC was established through Senate Bill 11 of the 86th Regular Legislative Session to:

- 1) leverage the expertise and the capacity of the health-related institutions of higher education in Texas to address urgent mental health challenges and improve the mental health care system in this state in relation to children and adolescents; and
- 2) enhance the state's ability to address mental health care needs of children and adolescents through collaboration of the health-related institutions of higher education.

Vision

All Texas children and adolescents will have the best mental health outcomes possible.

Mission

Advance mental health care quality and access for all Texas children and adolescents through inter-institutional collaboration, leveraging the expertise of the state's health-related institutions of higher education, local and state government agencies, and local and state mental health organizations.

Purpose of this Document

This document describes the governance of TCMHCC including:

- TCMHCC membership; and
- TCMHCC organizational structure and the operations, roles, and responsibilities of each component of the Consortium.

The Consortium

Structure of TCMHCC

The Consortium is composed of the following entities:

1. The following 12-state funded health-related institutions of higher education in Texas:

- a. Baylor College of Medicine;
 - b. The Texas A&M University System Health Science Center;
 - c. Texas Tech University Health Sciences Center;
 - d. Texas Tech University Health Sciences Center at El Paso;
 - e. University of North Texas Health Science Center at Fort Worth;
 - f. Dell Medical School at The University of Texas at Austin;
 - g. The University of Texas Medical Branch at Galveston;
 - h. The University of Texas Health Science Center at Houston;
 - i. The University of Texas Health Science Center at San Antonio;
 - j. The University of Texas Rio Grande Valley School of Medicine;
 - k. The University of Texas Health Science Center at Tyler; and
 - l. The University of Texas Southwestern Medical Center
- 2. the Texas Health and Human Services Commission (HHSC);
 - 3. the Texas Higher Education Coordinating Board (THECB);
 - 4. a representative of a hospital system in this state, designated by a majority of the members described in subdivision (1);
 - 5. an Educational Service Center from a rural region of the State, designated by the Texas Education Agency (TEA) Commissioner;
 - 6. three nonprofit organizations that focus on mental health care, designated by a majority of the 12 health-related institutions; and
 - 7. any other entity that the TCMHCC Executive Committee (defined below) considers necessary to fulfill the duties and obligations set forth by the Texas Legislature.

Duties of the Consortium

The TCMHCC will implement projects and research directed and funded by the Texas Legislature. The Texas Legislature directed TCMHCC to implement the following programs, relevant research, and appropriate evaluation using funds that are appropriated to the THECB and referenced in Subsection (b) of THECB Rider 58 of House Bill 1 (Rider 58) from the Texas 86th Regular Legislative Session:

- 1. Child Psychiatry Access Network (CPAN). A network of child psychiatry access centers that provide consultation services and training opportunities for pediatricians and primary care providers to better care for children and youth with behavioral health needs. The

consortium shall establish a network of comprehensive child psychiatry access centers. A center shall:

- a. be located at a health-related institution of higher education that is part of the Consortium.
 - b. provide consultation services and training opportunities for pediatricians and primary care providers operating in the center's geographic region to better care for children and youth with behavioral health needs.
2. Texas Child Health Access Through Telemedicine (TCHATT). Telemedicine or telehealth programs for identifying and assessing behavioral health needs and providing access to mental health care services, prioritizing the behavioral health needs of at-risk children and adolescents, and maximizing the number of school districts served in diverse regions of the state.
 3. Community Psychiatry Workforce Expansion (CPWE). One full-time psychiatrist to serve as academic medical director at a facility operated by a community mental health provider and two new resident rotation positions at the facility. A health-related institution of higher education that is part of the Consortium may enter into a memorandum of understanding with a community mental health provider to establish a center or expand a program.
 4. Child and Adolescent Psychiatry (CAP) Fellowships. Additional child and adolescent psychiatry fellowship positions at health-related institutions.

In implementing the CPAN and TCHATT programs, the Consortium will leverage the resources of a hospital system in the state if the hospital system:

- i) provides consultation services and training opportunities for pediatricians and primary care providers; and
- ii) has an existing telemedicine or telehealth program for identifying and assessing the behavioral health needs of and providing access to mental health care services for children and adolescents.

The Consortium will also implement programs made possible with the additional appropriation of federal American Rescue Plan Act (ARPA) funds from the 3rd Special session of the 87th Texas Legislature, as well as state funds allocated in 2022 by the Governor of Texas. These programs include expansion and enhancements of the CPAN and TCHATT programs, including the development of a Perinatal Psychiatric Access Network (PeriPAN), and the development of expanded mental health workforce development programs.

The TCMHCC Executive Committee

Executive Committee Structure

The TCMHCC will be governed by an Executive Committee consisting of the following individuals:

1. Each of the 12 health-related institutions that are Consortium members listed above will have up to two representatives:
 - a. the chair of the academic department of psychiatry of the institution or a licensed psychiatrist, including a child-adolescent psychiatrist, designated by the chair to serve in the chair's place; and
 - b. An additional designee, if chosen by the institution's president.
2. a representative of HHSC with expertise in the delivery of mental health care services, appointed by the HHSC Executive Commissioner;
3. a representative of HHSC with expertise in mental health facilities, appointed by the Executive Commissioner;
4. a representative of the THECB, appointed by the Commissioner of Higher Education;
5. a representative of a hospital system in this state, designated by a majority of the members described by (1) (a) above;
6. an Educational Service Center from a rural region of the State, designated by the Texas Education Agency (TEA) Commissioner;
7. a representative of each of the three nonprofit organizations that are made part of the Consortium;
8. any other representative designated by a majority of the members described by (1) (a) above at the request of the Executive Committee. Current additions include the following:
 - a. a representative of the Texas Education Agency, appointed by the Commissioner.
 - b. The University of Texas System.
9. The Administrative Support Entity (as described below) will identify an administrative liaison to serve on the Executive Committee.

Duties of the Executive Committee

The TCMHCC Executive Committee will provide leadership, decision making, and oversight of Consortium projects implemented by the health-related institutions as directed and funded by the Texas Legislature. General duties of the Executive Committee include:

1. In collaboration with the Statewide Behavioral Health Coordinating Council, provide counsel and insight on best practices to improve and develop mental health services to children and adolescents in Texas.
2. serve on appropriate workgroups as noted below.
3. coordinate the provision of funding to the health-related institutions of higher education that form the Consortium.
4. establish procedures and policies for the administration of funds of the Consortium.
5. monitor funding and agreements to ensure recipients of funding comply with the terms and conditions of the funding and agreements.
6. Establish metrics to monitor the impact of the Consortium's initiatives.
7. Establish and revise the TCHMCC Governance Plan at least every two years.
8. Develop and revise the TCMHCC Strategic Plan at least every two years.

9. Approve specific projects.
10. Meet at least quarterly
 - a. All Executive Committee members are expected to attend at least 75% of all Executive Committee meetings.

Selection of Executive Committee Members

Nonprofit Consortium Members

Three months prior to the end of each term (as defined below), three nonprofit organizations that focus on mental health care will be selected by majority vote of the members described in Subdivision (1)(a) from the 12 state-funded health-related institutions of higher education to serve on the Consortium. Organizations will be identified directly by Executive Committee members or through an application process. The term of service will be for four years but is renewable upon reapproval by the majority vote of the 12 institutions.

Hospital System Executive Committee Member

Three months prior to the end of each term (as defined below), Executive Committee members may identify hospital systems to nominate to serve as a representative on the Executive Committee. Organizations will be identified directly by Executive Committee members or through an application process. The TCMHCC will review the candidate organizations and, through a majority vote of the 12 health-related institutions, select a hospital system to serve on the Executive Committee. The term of service will be for four years but is renewable upon reapproval by the majority vote of the 12 institutions.

Additional Consortium and Executive Committee Members

Executive Committee members may nominate an additional organization that is necessary for the operations and decision making of the Consortium. Any nominated organization will be reviewed by the Executive Committee and named through a majority vote. All terms are for four years but are renewable by a majority vote of the Executive Committee. The Executive Committee can also name additional Executive Committee members who are not representatives of Consortium members. These members will be named through majority vote and serve four-year terms, which can be renewed by a majority vote of the Executive Committee.

Consortium Member Representatives

Each organization will identify its representative(s) who will serve on the Executive Committee.

Termination of Executive Committee Member's Term

The term of an Executive Committee member or workgroup member may be terminated due to one of the following scenarios:

1. Change in a member's role within their organization or employer making them no longer qualified or eligible;
2. For non-profit organizations and hospital systems, completion of the organization's/hospital system's term without renewal as set forth above;
3. An organization/agency/hospital system selects a new representative;
4. The member is unable to meet the roles, responsibilities and tasks required by the Consortium, including meeting attendance.

If the Presiding Officer concludes that it is appropriate to terminate the term of an Executive Committee member because of one of the reasons set forth above, the Presiding Officer will contact the head of the organization represented by that Executive Committee member, state the reasons why termination is in order, and request that the organization appoint a new representative. If the organization believes termination is not appropriate, it may request that the current Executive Committee member continue. Final decisions with respect to the continuation of Executive Committee members in such instances will rest with the entire Executive Committee.

The Presiding Officer has authority to act with respect to the termination of the terms of workgroup members who are not Executive Committee members and will advise the Executive Committee of such actions.

Vacancies on the Executive Committee

A vacancy on the Executive Committee shall be filled in the same manner as the original appointment.

Presiding Officer

The Executive Committee shall elect a Presiding Officer from among the membership of the Executive Committee. The term of service will be for two years but is renewable upon a majority vote of the Executive Committee. The duties of the Presiding Officer are to:

1. Serve as the official spokesperson for the Consortium;
2. Convene and manage all Consortium Executive Committee meetings and participate as needed in Workgroup meetings;
3. Solicit input from Executive Committee members to provide opportunities for their ideas and concerns to be expressed;
4. Request input from stakeholders and partners as needed; and
5. Serve as the intermediary between the Executive Committee and the Administrative Support Entity to ensure the business of the Consortium progresses between meetings.

Note: The Presiding Officer may be employed by the Administrative Support Entity.

The Executive Committee may remove the Presiding Officer by a vote of two-thirds of the total number of Executive Committee members.

Conflicts of Interest

Every two years each Executive Committee and Workgroup member will document and disclose any real or potential conflicts of interest using the form represented in Attachment A. Any newly appointed Executive Committee member will document and disclose any real or potential conflicts of interest upon their appointment to serve, and every two years thereafter.

Executive Committee Voting and Decision Making

The Executive Committee will make every effort to achieve consensus before voting. All final plans and elections will be approved and determined by formal vote.

A majority of the total number of Executive Committee members shall constitute a quorum at an Executive Committee meeting.

Voting decisions made by the Executive Committee will be by a simple majority of the members present at any meeting, with the exception of votes to: (i) adopt or modify the Governance Plan or the Strategic Plan; or (ii) remove the Presiding Officer. The Governance Plan and the Strategic Plan may only be adopted or modified by a vote of two-thirds of all Executive Committee members.

Executive Committee members may abstain from a vote.

Timing of Elections

The election and selection of the Presiding Officer, Administrative Support Entity, the nonprofit members of the Executive Committee, the hospital system Executive Committee member and all other Consortium or Executive Committee members will all occur during the last Executive Committee meeting of the fiscal year in odd-numbered years.

Texas Open Meetings Act:

Meetings of the Executive Committee are subject to the Texas Open Meeting Act.

Meetings of the TCMHCC workgroups are not subject to the Texas Open Meetings Act, but their recommendations must be approved by the Executive Committee before they are considered final.

Texas Public Information Act:

All business conducted by the Consortium and its members is subject to the Texas Public Information Act.

The TCMHCC Administrative Support Entity

The Executive Committee will select by majority vote an institution of higher education to serve as the Administrative Support Entity for the TCMHCC. This entity will enter into a memorandum of understanding with the THECB to receive the funds allocated by the Texas Legislature to administer the Consortium. The Administrative Support Entity will identify an administrative liaison and request that they be named to serve as a member of the Executive Committee. This administrative liaison may serve as the Presiding Officer if selected by the Executive Committee.

Subject to funding by the Legislature, the Administrative Support Entity will serve for a term of four years. The Administrative Support Entity is eligible for renewal after the four-year term but must be approved for renewal by the Executive Committee. The current administrative liaison will recuse themselves from votes by the Executive Committee for the selection of and all other matters involving the Administrative Support Entity.

Workgroups

The Executive Committee of the Consortium can establish specific workgroups through majority vote to develop draft proposals, plans, processes, reports, and evaluations or to conduct reviews on behalf of the Executive Committee. Workgroup leaders will be selected from and by the Executive Committee and will present their progress at each Executive Committee meeting. Workgroups will consist of both members and non-members of the Executive Committee who have needed expertise for the Workgroup's mission. Members of a Workgroup can be selected by the Presiding Officer and Workgroup Chair between meetings if needed but must be confirmed at the next Executive Committee meeting. All work developed by a Workgroup must be presented to the Executive Committee and approved prior to finalization or implementation. Each Workgroup will be discontinued after two years unless reauthorized by the Executive Committee.

Selection of Representatives to Other Statewide Committees

The Executive Committee will select a member to serve on statewide committees as directed by the Texas Legislature, and other statewide committees, commissions, advisory groups, or councils designated to address the needs of children, youth, and families in this state, as needed. This includes but is not limited to the Statewide Behavioral Health Coordinating Council, and as a liaison to the Texas Education Agency to develop a Rubric of Resources and a Statewide Inventory of Mental Health Resources under Sections 38.251 and 38.253, respectively, of the

Education Code. Members selected to serve on a statewide committee may provide relevant updates to the Executive Committee regarding the proceedings of the statewide committee.

Reports to the Texas Legislature

1) Biennial Report.

Not later than December 1 of each even-numbered year, the Consortium shall prepare a written report that outlines:

- 1) the activities and objectives of the Consortium.
- 2) the health-related institutions of higher education and any other entities that receive funding by the Consortium; and
- 3) any legislative recommendations based on the activities and objectives of the Consortium.

The Consortium shall post this report on its internet website and submit it to: (i) The Governor of the State of Texas, (ii) the Lieutenant Governor of the State of Texas, (iii) the Speaker of the Texas House of Representatives, and (iv) the standing committees of each house of the Texas legislature with primary jurisdiction over behavioral health issues.

ATTACHMENT A

Texas Child Mental Health Care Consortium Executive Committee Member Conflict of Interest Statement

A Conflict of Interest is a significant Outside Interest* of an Executive Committee Member or one of the Executive Committee Member's immediate family members that could directly or significantly affect the Executive Committee Member's performance of their responsibilities to the Consortium.

The proper discharge of an Executive Committee Member's responsibilities could be directly or significantly affected if an outside employment, service, activity, or interest:

- (1) might tend to influence the way the Executive Committee Member performs his or her responsibilities to the Consortium, or the Executive Committee Member knows or should know the interest is or has been offered with the intent to influence the Executive Committee Member's conduct or decisions;
- (2) could reasonably be expected to impair the Executive Committee Member's judgment in performing his or her responsibilities to the Consortium; or
- (3) might require or induce the Executive Committee Member to disclose confidential or proprietary information acquired through the performance of their responsibilities to the Consortium.

* "Outside Interest" does not include a Committee Members' interest in the entities that comprise the Consortium, as listed in Section 113.0052 of the Texas Health and Safety Code.

I, _____, am a member of the Texas Child Mental Health Care Consortium Executive Committee. I have thoroughly reviewed and understand the description of a conflict of interest described in this document. If I become aware of any potential conflict of interest related to my service as an Executive Committee Member, I will immediately notify the Executive Director of the Texas Child Mental Health Care Consortium in writing and cooperate with the Executive Director on any strategies to eliminate or manage the conflict, as the case may require.

Signature

Date

**Texas Child Mental Health Care Consortium
Executive Committee/Workgroup Member
Outside Activity and Financial Interest Disclosure**

In order to assure that any potential conflict of interest is identified and appropriately managed, Executive Committee and Workgroup Members are required to disclose outside activities and financial interests of themselves and immediate family members on an annual basis. In addition, any newly acquired interest or activity subject to disclosure must be disclosed within 30 days of inception of the activity or interest.

Activities and Financial Interests of the committee/workgroup member and their immediate family that must be disclosed include the following:

Activities:

Any compensated activity from any source;

Any executive board service with any entity;

Any advisory board service with any entity reasonably related to or impacted by the activities of the Texas Child Mental Health Care Consortium; and

Any non-compensated activity with any entity reasonably related to or impacted by the activities of the Texas Child Mental Health Care Consortium.

Interests:

Any Financial Interest in any entity reasonably related to or impacted by the activities of the Texas Child Mental Health Care Consortium.

Financial Interest includes any pecuniary interest in an entity, whether as an equity interest (e.g., stocks, stock options, partnership interest, etc.), or non-equity interest (e.g., bonds, royalty agreements, intellectual property licensure, etc.).

When in doubt, please err on the side of disclosure.

Please note, financial interests in mutual funds and/or retirement accounts where you as the investor cannot make decisions regarding which individual stocks are included in the fund need not be disclosed.

In making your disclosure, please utilize the format provided below. You may attach additional pages as necessary:

Name of entity	Type of activity or interest	Brief description of the character and nature of the activity or interest	Dollar value

I, _____, am a member of the Texas Child Mental Health Care Consortium Executive Committee or Workgroup.

Choose one option:

- ☐ After a thorough review, I confirm that I have nothing to disclose.
- ☐ After a thorough review, I have fully disclosed all activities and financial interests for myself and my immediate family, as described in detail on the attached page(s).

If I become aware of any additional activities or financial interests that must be disclosed, I will do so immediately.

Signature

Date

ADDITIONAL PAGE (IF NEEDED)

Name of entity	Type of activity or interest	Brief description of the character and nature of the activity or interest	Dollar value