

ASSEMBLY, No. 3005

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED FEBRUARY 20, 2020

Sponsored by:

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District 2 (Atlantic)

Assemblywoman VALERIE VAINIERI HUTTLE

District 37 (Bergen)

Co-Sponsored by:

Assemblywomen McKnight, Carter and Assemblyman Karabinchak

SYNOPSIS

“Mental Health Early Action on Campus Act”; requires institutions of higher education to implement mental health programs and services.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 11/15/2021)

1 AN ACT concerning mental health programs at institutions of higher
2 education and supplementing chapter 3B of Title 18A of the New
3 Jersey Statutes.

4
5 **BE IT ENACTED** *by the Senate and General Assembly of the State*
6 *of New Jersey:*

7
8 1. This act shall be known and may be cited as the “Mental
9 Health Early Action on Campus Act.”

10
11 2. As used in this act, “telehealth” means the evaluation,
12 diagnosis, or interpretation of electronically transmitted patient-
13 specific data between a remote location and a licensed health care
14 professional that generates interaction or treatment
15 recommendations.

16
17 3. a. An institution of higher education shall implement a
18 mental health awareness program. The purpose of the program
19 shall be to:

20 (1) identify students with mental health needs and connect them
21 to mental health support services;

22 (2) increase access to mental health support services on campus;

23 (3) increase access to mental health support services in the
24 surrounding communities;

25 (4) empower students through peer-to-peer support and training
26 on identifying mental health needs and resources; and

27 (5) reduce the administrative policies that place an undue
28 burden on students seeking medical leave for their mental health
29 conditions through technical assistance and training.

30 b. An institution’s mental health awareness program, required
31 pursuant to subsection a. of this section, shall include, but need not
32 be limited to:

33 (1) the development and implementation of an annual student
34 orientation session designed to raise awareness about mental health
35 conditions;

36 (2) the assessment of courses and seminars available to students
37 through their regular academic experience and the implementation
38 of mental health curricula if opportunities for integration exist;

39 (3) the creation and prominent display on the institution’s
40 website or mobile application of information dedicated specifically
41 to the mental health resources available to students on campus and
42 in the surrounding community;

43 (4) the distribution of messages related to mental health
44 resources that encourage help-seeking behavior through the on-line
45 learning platform of the institution, including on-line mental health
46 screenings, at least once per term and during periods of high stress
47 in the academic year including, but not limited to, mid-terms or

1 final examinations. The messages and strategies shall be based on
2 documented best practices; and

3 (5) beginning in the first full academic year three years
4 following the effective date of this act, the implementation of an on-
5 line screening tool to raise awareness and establish a mechanism to
6 link or refer students to services. The screenings and services shall
7 be available to students the entire academic year and shall, at a
8 minimum:

9 (a) include validated screening tools for depression, anxiety
10 disorders, eating disorders, substance abuse, alcohol-use disorders,
11 post-traumatic stress disorder, and bipolar disorder;

12 (b) provide resources for immediate connection to services, if
13 indicated, including emergency resources;

14 (c) provide general information about all mental health-related
15 resources available to students; and

16 (d) maintain the anonymity of students using the screening and
17 services.

18
19 4. a. The governing board of an institution of higher education
20 shall establish an expert panel to develop and implement policies
21 and procedures to:

22 (1) advise students, faculty, and staff on the proper procedures
23 for identifying and addressing the needs of students exhibiting
24 symptoms of mental health conditions;

25 (2) promote understanding of the rules of section 504 of the
26 federal Rehabilitation Act of 1973 (29 U.S.C. s.794) and the federal
27 Americans With Disabilities Act of 1990 (42 U.S.C. s.12101 et
28 seq.) to increase knowledge and understanding of student
29 protections under the law; and

30 (3) provide training if appropriate.

31 b. An institution of higher education shall require all student
32 advisors, resident assistants in student housing facilities, and
33 campus security personnel to participate in a national Mental Health
34 First Aid training course or a similar program prior to the
35 commencement of their duties. The training shall include the
36 policies and procedures developed pursuant to subsection a. of this
37 section.

38
39 5. An institution of higher education shall establish and
40 implement a student peer support program. The program shall
41 utilize student peers to support students living with mental health
42 conditions on campus. Peer support programs may be housed within
43 resident assistance programs, counseling centers, or wellness
44 centers on campus. A peer support program shall utilize best
45 practices for peer support including, but not limited to:

46 a. utilizing the tenets of the recovery model for mental health
47 developed by the federal Substance Abuse and Mental Health
48 Services Administration;

1 b. adequate planning and preparation, including standardizing
2 guidance and practices, identifying needs of the target population,
3 and aligning program goals to meet those needs;

4 c. clearly articulating policies, specifically concerning role
5 boundaries and confidentiality;

6 d. systematic screening with defined selection criteria for peer
7 supporters including, but not limited to, communication skills,
8 leadership ability, character, previous experience or training, and
9 ability to serve as a positive role model;

10 e. identifying benefits from peer status, including but not
11 limited to, experiential learning, social support, leadership, and
12 improved self-confidence;

13 f. continuing education for peer supporters to support each
14 other and improve peer support skills; and

15 g. flexibility in availability by offering services through drop-
16 in immediate support and the ability to book appointments.

17
18 6. a. An institution of higher education shall form strategic
19 partnerships with local mental health service providers to improve
20 overall campus mental health wellness and augment on-campus
21 capacity. The partnerships shall include linkage agreements with
22 off-campus mental health service providers that establish a
23 foundation for referrals for students when a student's mental health
24 needs cannot be met on campus due to capacity concerns or
25 preference of the student. The partnerships shall include:

26 (1) avenues for on-campus and off-campus mental health service
27 providers to increase visibility to students via marketing and
28 outreach;

29 (2) opportunities to engage the student body through student
30 outreach initiatives including, but not limited to, mindfulness
31 workshops or campus-wide wellness fairs; and

32 (3) opportunities to support mental health awareness and
33 training provided for pursuant to this act.

34 b. Through a combination of on-campus capacity, off-campus
35 linkage agreements with mental health service providers, and
36 contracted telehealth therapy services, each institution shall attempt
37 to reach a benchmark ratio of one clinical, non-student staff
38 member to 1,250 students. If linkage agreements are used, the
39 agreements shall include the capacity of students that the mental
40 health service providers are expected to serve within the agency.
41 Two years after the effective date of this act, and once every five
42 years thereafter, the Technical Assistance Center established
43 pursuant to section 7 of this act shall propose to the institutions an
44 updated ratio based on actual ratios in this State and any new
45 information related to appropriate benchmarks for clinician-to-
46 student ratios. The updated benchmark shall represent a ratio of no
47 less than one clinical, non-student staff member to 1,250 students.

1 c. An institution of higher education shall work with local
2 resources, including on-campus mental health counseling centers or
3 wellness centers, local mental health service providers, or non-
4 providers, such as affiliates of the National Alliance on Mental
5 Illness, and any other resources to meet the awareness and training
6 requirements required pursuant to section 3 and section 4 of this act.
7

8 7. The Secretary of Higher Education shall develop a Technical
9 Assistance Center. The center's responsibilities shall include:

10 a. developing standardized policies for medical leave related to
11 mental health conditions for students, which may be adopted by an
12 institution of higher education;

13 b. providing tailored support to the institutions in reviewing
14 policies related to students living with mental health conditions and
15 their academic standing;

16 c. establishing initial standards for policies and procedures of
17 the expert panel established pursuant to subsection a. of section 4 of
18 this act;

19 d. disseminating best practices concerning peer support
20 programs established pursuant to section 5 of this act, including
21 widely-accepted selection criteria for individuals serving in a peer
22 support role;

23 e. developing Statewide standards and best practices for
24 partnerships between local mental health agencies and institutions
25 of higher education;

26 f. collecting, analyzing, and disseminating data related to
27 mental health needs and academic engagement throughout the State;

28 g. housing the data collected by each institution of higher
29 education pursuant to section 8 of this act and analyzing and
30 disseminating best practices to each institution and to the public
31 based on that data;

32 h. monitoring and evaluating the strategic partnerships between
33 local mental health service providers and institutions of higher
34 education required pursuant to section 6 of this act to ensure
35 capacity is met by each institution; and

36 i. facilitating a learning community across all institutions of
37 higher education to support capacity building and learning across
38 the institutions.
39

40 8. An institution of higher education shall evaluate the
41 programs and services required pursuant to this act for effectiveness
42 and quality in the following manner:

43 a. For the mental health awareness program established
44 pursuant to section 3 of this act and the training required pursuant
45 to section 4 of this act, the monitoring measures shall include, but
46 are not limited to:

47 (1) an increased understanding of mental health conditions;

48 (2) a reduced stigma toward mental health conditions;

- 1 (3) an increased understanding of mental health resources
2 available to students;
- 3 (4) an increased understanding of resources for mental health
4 emergencies available to students; and
- 5 (5) viewing of the institution's mental health resource website
6 pages or mobile applications;
- 7 b. For the student peer support program established pursuant to
8 section 5 of this act, the monitoring measures shall include, but are
9 not limited to:
- 10 (1) improved symptomatology;
- 11 (2) connection or referral to additional services, if needed;
- 12 (3) student satisfaction;
- 13 (4) wait time for drop-in appointments;
- 14 (5) wait time for scheduled appointments; and
- 15 (6) satisfaction with the training curriculum for peer supporters;
16 and
- 17 c. For the partnerships with local mental health service
18 providers formed pursuant to section 6 of this act, the monitoring
19 measures shall include, but are not limited to:
- 20 (1) wait time for drop-in appointments for on-campus or off-
21 campus telehealth therapy providers;
- 22 (2) wait time for scheduled appointments for on-campus or off-
23 campus telehealth therapy providers;
- 24 (3) the ratio of clinical, non-student staff to student population
25 and the number of linkage agreements and contracts in place based
26 on student population;
- 27 (4) student satisfaction with on-campus or off-campus telehealth
28 therapy providers;
- 29 (5) the range of treatment models offered to students;
- 30 (6) the average length of stay in treatment;
- 31 (7) the number and range of student outreach initiatives,
32 including but not limited to, telehealth mindfulness workshops or
33 campus-wide wellness fairs; and
- 34 (8) the annual number of students being served.

35
36 9. This act shall take effect immediately.
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38

39 STATEMENT
40

41 This bill the "Mental Health Early Action on Campus Act,"
42 requires institutions of higher education to implement certain
43 mental health programs and services.

44 Under the bill, an institution of higher education is required to
45 implement a mental health awareness program which must include,
46 at a minimum:

1 (1) the development and implementation of an annual student
2 orientation session designed to raise awareness about mental health
3 conditions;

4 (2) the assessment of courses and seminars available to students
5 through their regular academic experience and the implementation
6 of mental health curricula if opportunities for integration exist;

7 (3) the creation and prominent display on the institution's
8 website or mobile application of information dedicated specifically
9 to the mental health resources available to students on campus and
10 in the surrounding community;

11 (4) the distribution of messages related to mental health
12 resources that encourage help-seeking behavior through the on-line
13 learning platform of the institution at least once per term and during
14 periods of high stress in the academic year; and

15 (5) the implementation of an on-line screening tool to raise
16 awareness and establish a mechanism to link or refer students to
17 services.

18 The bill requires an institution of higher education to establish
19 and implement a student peer support program. The program will
20 utilize student peers to support students living with mental health
21 conditions on campus. Peer support programs may be housed
22 within resident assistance programs, counseling centers, or wellness
23 centers on campus. A peer support program will utilize best
24 practices for peer support including, but not limited to:

25 (1) utilizing the tenets of the recovery model for mental health
26 developed by the federal Substance Abuse and Mental Health
27 Services Administration;

28 (2) adequate planning and preparation, including standardizing
29 guidance and practices, identifying needs of the target population,
30 and aligning program goals to meet those needs;

31 (3) clearly articulating policies, specifically concerning role
32 boundaries and confidentiality;

33 (4) systematic screening with defined selection criteria for peer
34 supporters including, but not limited to, communication skills,
35 leadership ability, character, previous experience or training, and
36 ability to serve as a positive role model;

37 (5) identifying benefits from peer status including, but not
38 limited to, experiential learning, social support, leadership, and
39 improved self-confidence;

40 (6) continuing education for peer supporters to support each
41 other and improve peer support skills; and

42 (7) flexibility in availability by offering services through drop-
43 in immediate support and the ability to book appointments.

44 The bill also requires each institution to form strategic
45 partnerships with local mental health service providers to improve
46 overall campus mental health wellness and augment on-campus
47 capacity. The partnerships will include linkage agreements with off-
48 campus mental health service providers that establish a foundation

1 for referrals for students when a student's mental health needs
2 cannot be met on campus due to capacity concerns or preference of
3 the student. The partnerships will include:

4 (1) avenues for on-campus and off-campus mental health service
5 providers to increase visibility to students via marketing and
6 outreach;

7 (2) opportunities to engage the student body through student
8 outreach initiatives including, but not limited to, mindfulness
9 workshops or campus-wide wellness fairs; and

10 (3) opportunities to support mental health awareness and
11 training.

12 Under the bill, the Secretary of Higher Education will develop a
13 Technical Assistance Center. The center's responsibilities will
14 include:

15 (1) developing standardized policies for medical leave related to
16 mental health conditions for students, which may be adopted by an
17 institution of higher education;

18 (2) providing tailored support to the institutions in reviewing
19 policies related to students living with mental health conditions and
20 their academic standing;

21 (3) establishing initial standards for policies and procedures of
22 the expert panel;

23 (4) disseminating best practices concerning peer support
24 programs, including widely-accepted selection criteria for
25 individuals serving in a peer support role; and

26 (5) developing Statewide standards and best practices for
27 partnerships between local mental health agencies and institutions
28 of higher education.