

1 State of Arkansas  
2 95th General Assembly  
3 Regular Session, 2025  
4

As Engrossed: H2/4/25

# A Bill

HOUSE BILL 1179

5 By: Representative Vaught  
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## For An Act To Be Entitled

9 AN ACT TO CREATE CHILD AND ADOLESCENT MENTAL HEALTH  
10 SURVEY PROGRAMS IN SCHOOLS AND CHILDCARE FACILITIES  
11 FOR CHILDREN FROM BIRTH TO NINETEEN YEARS OF AGE; AND  
12 FOR OTHER PURPOSES.  
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### Subtitle

15 TO CREATE CHILD AND ADOLESCENT MENTAL  
16 HEALTH SURVEY PROGRAMS IN SCHOOLS AND  
17 CHILDCARE FACILITIES FOR CHILDREN FROM  
18 BIRTH TO NINETEEN YEARS OF AGE.  
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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23 SECTION 1. Arkansas Code Title 20, Chapter 45, is amended to add an  
24 additional subchapter to read as follows:

25 Subchapter 4 - Child and Adolescent Mental Health Surveys

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27 20-45-401. Purpose.

28 The purpose of this subchapter is to advance mental healthcare quality  
29 and access for children and adolescents from birth to nineteen (19) years of  
30 age in this state and to ensure that all children and adolescents from birth  
31 to nineteen (19) years of age in this state have the best possible mental  
32 health outcomes.  
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34 20-45-402. Definitions.

35 As used in this subchapter:

36 (1) "Childcare facility" means the same as defined in § 20-78-



1 202;

2 (2) "Mental health surveys program" means a child mental health  
3 surveys program selected by a public school, open enrollment charter school,  
4 private school, or childcare facility that has been approved by the  
5 Department of Human Services in consultation with the Department of  
6 Education; and

7 (3) "Participating student" means a child or student who:

8 (A) Is nineteen (19) years of age or younger;

9 (B) Is enrolled in a public school, open enrollment  
10 charter school, private school, or childcare facility; and

11 (C) Participates in a mental health survey program upon  
12 the consent of his or her parent or guardian.

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14 20-45-403. Child mental health survey.

15 (a) A public school, open enrollment charter school, private school,  
16 or childcare facility shall implement a mental health survey for  
17 participating students using an evidence-based survey program.

18 (b) The Department of Human Services shall establish:

19 (1) A process for a public school, open enrollment charter  
20 school, private school, or childcare facility to submit a selected mental  
21 health survey program for approval;

22 (2) In accordance with the Family Education Rights and Privacy  
23 Act, 20 U.S.C. § 1232g, who may access and use a participating student's  
24 mental health survey data; and

25 (3) A requirement and a process for a public school, open  
26 enrollment charter school, private school, or childcare facility or  
27 associated personnel to attend annual training related to administering the  
28 mental health survey program.

29 (c) In consultation with the Department of Education, the Department  
30 of Human Services shall approve an evidence-based student mental health  
31 survey program selected by a public school, open enrollment charter school,  
32 private school, or childcare facility that:

33 (1) Is age appropriate for each age in which the mental health  
34 survey program is administered;

35 (2) Surveys for the mental health conditions determined by the  
36 Department of Human Services and the Department of Education; and

1           (3) Is an effective tool for identifying whether a participating  
2 student has a mental health condition that requires intervention.

3           (d) A public school, open enrollment charter school, private school,  
4 or childcare facility shall:

5           (1) Submit a mental health survey program to the Department of  
6 Human Services for approval;

7           (2) Administer a mental health survey program to participating  
8 students;

9           (3) Obtain prior written consent from a participating student's  
10 parent or guardian that complies with the Family Education Rights and Privacy  
11 Act, 20 U.S.C. § 1232g, before the public school, open enrollment charter  
12 school, private school, or childcare facility administers the mental health  
13 survey program to a participating student; and

14           (4) If results of a mental health survey of a participating  
15 student indicates a potential mental health condition, notify the parent or  
16 guardian of the participating student of:

17           (A) The participating student's results; and

18           (B) Resources available to the participating student,  
19 including any services that can be provided by a mental health provider or  
20 entity that partners with the public school, open enrollment charter school,  
21 private school, or childcare facility.

22           (e)(1) If funds are appropriated, the Department of Human Services may  
23 distribute funds to a public school, open enrollment charter school, private  
24 school, or childcare facility to use to assist a parent or guardian to pay  
25 for resources described in subdivision (d)(4)(B) of this section that cannot  
26 be provided by a school mental health professional in the school setting.

27           (2) The Department of Human Services shall establish the  
28 criteria and process for:

29           (A) Determining whether a parent or guardian is eligible  
30 to receive the financial support described in subdivision (e)(1) of this  
31 section; and

32           (B) Applying for and distributing the financial support  
33 described in subdivision (e)(1) of this section.

34           (f) An employee of a public school, open enrollment charter school,  
35 private school, or childcare facility who is trained and administers an  
36 approved mental health survey in accordance with this section in good faith

1 is not liable in a civil action for an act or omission under this section.

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*/s/Vaught*