

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

A Bill

HOUSE BILL 1179

4
5 By: Representative Vaught
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For An Act To Be Entitled

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

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16 TO CREATE CHILD AND ADOLESCENT MENTAL
17 HEALTH SCREENING PROGRAMS IN SCHOOLS AND
18 CHILDCARE FACILITIES FOR CHILDREN FROM
19 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 Screenings
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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 screening program" means a child mental
3 health screening program selected by a public school, open enrollment charter
4 school, 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 screening program upon
12 the consent of his or her parent or guardian.

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

15 (a) A public school, open enrollment charter school, private school,
16 or childcare facility shall implement a mental health screening for
17 participating students using an evidence-based screening 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 screening 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 screening 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 screening 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 screening program selected by a public school, open enrollment charter
32 school, private school, or childcare facility that:

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

35 (2) Screens 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 screening program to the Department
6 of Human Services for approval;

7 (2) Administer a mental health screening program to
8 participating 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 screening program to a participating student; and

14 (4) If results of a mental health screening 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 screening in accordance with this section in good

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

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