

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas  
95th General Assembly  
Regular Session, 2025

As Engrossed: H2/4/25

## A Bill

HOUSE BILL 1179

By: Representative Vaught

### For An Act To Be Entitled

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

### Subtitle

TO CREATE CHILD AND ADOLESCENT MENTAL  
HEALTH SURVEY PROGRAMS IN SCHOOLS AND  
CHILDCARE FACILITIES FOR CHILDREN FROM  
BIRTH TO NINETEEN YEARS OF AGE.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code Title 20, Chapter 45, is amended to add an additional subchapter to read as follows:

Subchapter 4 - Child and Adolescent Mental Health Surveys

20-45-401. Purpose.

The purpose of this subchapter is to advance mental healthcare quality and access for children and adolescents from birth to nineteen (19) years of age in this state and to ensure that all children and adolescents from birth to nineteen (19) years of age in this state have the best possible mental health outcomes.

20-45-402. Definitions.

As used in this subchapter:

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



202;

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

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

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

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

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

20-45-403. Child mental health survey.

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

(b) The Department of Human Services shall establish:

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

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

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

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

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

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

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

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

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

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

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

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

(A) The participating student's results; and

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

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

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

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

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

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

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

*/s/Vaught*