

Key Provisions in the “Bipartisan Safer Communities Act” A Summary for the HCH Community

June 2022

On June 25, 2022, The President signed into law the [Bipartisan Safer Communities Act](#), ([full text](#)) the first major piece of gun legislation since the 1994 Gun Violence Prevention Act. While the law covers domestic violence offenders, expanded background checks, and red flag laws, it also increases funding for mental health services, school safety, crisis intervention programs, and violence prevention measures. This fact sheet summarizes the service expansions and related provisions that will likely impact the HCH community.

Mental Health for Children and Families:

- Provides \$250 million to expand mental health services through Certified Community Behavioral Health Clinics
- Expands and improves oversight of Medicaid's Early and Periodic Screening, Diagnostic and Treatment (EPSDT) tool to screen, diagnosis, and support children with mental health needs
- Creates more options for children's mental health services through telehealth
- Appropriates \$80 million to give pediatricians access to tele-consults with mental health specialists to ensure quality treatment and timely care
- Invests \$60 million for mental health training for pediatric providers
- Allocates \$120 million to establish programs for community member and first responder mental health training
- Increases funding to \$40 million for post-traumatic event care for children and families
- Grants \$150 million to expand implementation of the National Suicide Prevention Hotline

School Mental Health and Safety Provisions:

- Invests \$500 million in expanding and diversifying school-based mental health providers and an additional \$500 million to create training programs and pipelines for school-based clinicians and other mental health professionals
- Appropriates \$240 million to increase awareness of mental health issues in school-aged youth among school personnel and other interested adults. Creates training for school personnel to detect mental health needs and coordinate children and families' access to care
- Gives \$28 million for school-based trauma support programs

- Improves out-of-school programs by providing \$50 million in funding to the 21st Century Learning Centers Program
- Allocates \$300 million for evidence-based school safety measures in and around schools as well as violence prevention training for students and staff
- States **cannot** use funding to arm school personnel

Violence Prevention

Closes the “boyfriend loophole” by expanding definitions of intimate partners (*required*)

- Domestic violence offenders who commit no further crimes can have their gun rights restored after 5 years
- **Requires** persons from 18-21 to receive expanded background checks
 - Background checks only review adjudicated mental health records, not history of mental illness and clinical notes
 - Guaranteed Issue: After 10 days, if the background check is not complete, the person is issued the gun by default
 - Does not create a database of juvenile records
- Establishes laws related to interstate gun trafficking and refines definition of federal licensed firearms dealer.
- Gives communities \$250 million for evidence-based violence prevention measures
- States **have the option** of accessing \$750 million to create or fund red flag laws. The funding can also be used for drug courts, mental health courts, and veterans' courts
- States **have the option** to collect and share violence prevention and background check data

Summary

While this is the first gun control legislation that has passed into law in 30 years, the provisions are quite modest. The law expands community and school-based mental health services for children and families; however, the law does not establish universal background checks and makes data sharing between states optional. Additional funding will be available to states, but establishing Red Flag laws are optional, juvenile background check laws still have guaranteed-issue clauses, and the “boyfriend loophole” allows provisions for a restoration of gun rights after five years. Many states that already have lax gun laws are also states that continue to refuse to expand Medicaid, which is the primary payor of behavioral health care for low-income people. Looking ahead, while the *Bipartisan Safer Communities Act* provides more funding and gives additional policy options related to gun access and the provision of mental health services, states will have wide latitude in how (or whether) they implement any of these options.