

By: Watson

S.B. No. 2111

A BILL TO BE ENTITLED

AN ACT

relating to the Health and Human Services Commission developing a plan to contract with public institutions of higher education to operate state hospitals.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 552, Health and Safety Code, is amended by adding Subchapter E to read as follows:

SUBCHAPTER E. STATE HOSPITAL OPERATIONS

Sec. 552.151. TRANSITION PLANNING FOR CONTRACTED OPERATIONS OF CERTAIN STATE HOSPITALS. The commission shall establish a plan under which the commission would contract with local, public institutions of higher education to transfer the operations of certain state hospitals, to include Austin State Hospital, from the commission to a local, public institution of higher education.

Sec. 552.152. PLAN REQUIREMENTS. (a) In developing the plan, the commission shall:

(1) consult with local, public institutions of higher education;

(2) establish procedures and policies to ensure that a public institution of higher education that contracts with the commission to operate a state hospital operates the hospital at a quality level at least equal to the quality level achieved by the commission; and

1 (3) establish procedures and policies to monitor the
2 care of state hospital patients.

3 (b) The procedures and policies required to be established
4 under Subsection (a) must ensure that the commission is able to
5 obtain and maintain information on activities carried out under the
6 contract without violating privacy or confidentiality rules. The
7 procedures and policies must account for the commission obtaining
8 and maintaining information on:

9 (1) client outcomes;

10 (2) individual and average lengths of stay, including
11 computation of lengths of stay according to the number of days a
12 patient is in the facility during each calendar year, regardless of
13 discharge and readmission;

14 (3) the number of incidents in which patients were
15 restrained or secluded;

16 (4) the number of incidents of serious assaults in the
17 hospital setting; and

18 (5) the number of occurrences in the hospital setting
19 involving contacts with law enforcement personnel.

20 Sec. 552.153. GOVERNING BOARDS FOR STATE HOSPITALS.

21 (a) The plan required under this subchapter must establish
22 guidelines for developing a governing board for each state hospital
23 for independent governance of the state hospital. The governing
24 board must be vested with a fiduciary responsibility.

25 (b) A state hospital's governing board must include
26 stakeholders interested in the provision of mental health services
27 as follows:

1 (1) at least one representative of the commission;

2 (2) at least one sheriff working in the catchment
3 area;

4 (3) at least one judge presiding over mental health
5 issues working in the catchment area;

6 (4) at least one leader from an organization serving
7 persons with mental illness;

8 (5) at least one person with expertise in private
9 health care system management;

10 (6) at least one representative from a local mental
11 health authority serving the catchment area; and

12 (7) at least one representative from the local, public
13 institution of higher education.

14 (c) The commission's plan may provide for a state hospital's
15 governing board to include any other person considered suitable by
16 the commission in developing the plan.

17 Sec. 552.154. GOVERNING BOARD RESPONSIBILITIES. The plan
18 must account for the governing board overseeing the performance of
19 the state hospital operated by a public institution of higher
20 education. Each governing board shall undertake to develop
21 regional cross-service care integration.

22 Sec. 552.155. REPORT. Not later than September 1, 2020, the
23 commission shall prepare and deliver to the governor, the
24 lieutenant governor, the speaker of the house of representatives,
25 and the legislature a written report containing the plan and any
26 recommendations for legislation or other actions necessary.

27 SECTION 2. This Act takes effect September 1, 2019.