

By: Miles, Campbell

S.B. No. 505

A BILL TO BE ENTITLED

AN ACT

relating to the prohibited discharge of a patient to certain  
unlicensed or unpermitted group-centered facilities.

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

SECTION 1. The heading to Chapter 256, Health and Safety  
Code, is amended to read as follows:

CHAPTER 256. SAFE PATIENT HANDLING, ~~[AND]~~ MOVEMENT, AND DISCHARGE  
PRACTICES

SECTION 2. Chapter 256, Health and Safety Code, is amended  
by adding Section 256.003 to read as follows:

Sec. 256.003. PROHIBITED DISCHARGE OF PATIENTS TO CERTAIN  
FACILITIES. (a) Subject to Subsection (b), a hospital or other  
health facility may discharge or otherwise release a patient to the  
care of a group home, boarding home facility, or similar  
group-centered facility only if the person who operates the  
facility holds a license or permit issued in accordance with  
applicable state law.

(b) A hospital or other health facility may discharge or  
otherwise release a patient to the care of a group home, boarding  
home facility, or similar group-centered facility operated by a  
person who does not hold a license or permit issued in accordance  
with applicable state law only if:

(1) no facility described by this section is operated  
in the county by a person who holds the applicable license or

1 permit; or

2 (2) the patient voluntarily elects to reside in the  
3 facility of the unlicensed or unpermitted person.

4 (c) A hospital or other health facility is not liable for  
5 damages to a patient resulting from the patient's discharge or  
6 release to a group home, boarding home facility, or similar  
7 group-centered facility under Subsection (b).

8 (d) A local health authority may not issue an order  
9 authorizing a hospital or health facility to discharge or release a  
10 patient to a facility in a manner that conflicts with this section.

11 SECTION 3. This Act takes effect September 1, 2021.