

By: Gervin-Hawkins

H.B. No. 2149

A BILL TO BE ENTITLED

AN ACT

relating to notice of rights provided to a patient receiving  
involuntary inpatient mental health services.

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

SECTION 1. Section 576.009, Health and Safety Code, is  
amended to read as follows:

Sec. 576.009. NOTIFICATION OF RIGHTS. (a) A patient  
receiving involuntary inpatient mental health services shall be  
informed of the rights provided by this subtitle:

(1) through a poster prominently and conspicuously  
displayed in an area frequented by both patients and employees of  
the mental health facility; and

(2) either:

(A) orally, in simple, nontechnical terms, and in  
writing that~~[, if possible,]~~ is in the person's primary language;  
or

(B) ~~[(2)]~~ through the use of a means reasonably  
calculated to communicate with a hearing impaired or visually  
impaired person, if applicable.

(b) The poster described by Subsection (a)(1) must:

(1) include the name and contact information of the  
person with whom a complaint regarding a violation of the rights  
provided by this subtitle may be filed; and

(2) be in English and in a second language appropriate

1 to the demographic composition of the community served by the  
2 mental health facility.

3 (c) The oral and written communication required by  
4 Subsection (a)(2)(A) must be provided on two separate days as  
5 follows:

6 (1) if English is the patient's primary language:

7 (A) at the time the patient is admitted to the  
8 mental health facility; and

9 (B) not later than the third day after the date  
10 the patient is admitted to the mental health facility; or

11 (2) if English is not the patient's primary language:

12 (A) not later than 24 hours after the patient is  
13 admitted to the mental health facility; and

14 (B) not later than the third day after the date  
15 the patient is admitted to the mental health facility.

16 SECTION 2. The changes in law made by this Act apply only to  
17 a patient's admittance to an inpatient mental health facility on or  
18 after the effective date of this Act. A patient's admittance to an  
19 inpatient mental health facility before the effective date of this  
20 Act is governed by the law in effect on the date the patient was  
21 admitted, and the former law is continued in effect for that  
22 purpose.

23 SECTION 3. This Act takes effect September 1, 2023.