

By: Spiller, Allison

H.B. No. 4085

Substitute the following for H.B. No. 4085:

By: Murr

C.S.H.B. No. 4085

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the payment by the state or a county of costs for  
3 certain mental health hearings or proceedings.

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

5 SECTION 1. Sections 571.018(h) and (j), Health and Safety  
6 Code, are amended to read as follows:

7 (h) The state or a county may not pay any costs for a patient  
8 committed to a private mental hospital, other than a filing fee or  
9 other cost associated with a hearing or proceeding under this  
10 subtitle, unless:

11 (1) a public facility is not available; and

12 (2) the commissioners court of the county authorizes  
13 the payment, if appropriate.

14 (j) The judge of a court conducting a hearing or proceeding  
15 under this subtitle shall order the clerk of the court to refund  
16 court costs paid or advanced for a person by ~~When~~ an inpatient  
17 mental health facility as defined under Section 571.003(9)(A), (B),  
18 (D), or (E) on the filing of ~~[571.003(9)(B) or (E) files]~~ an  
19 affidavit with the clerk of the court certifying that:

20 (1) the facility has received no compensation or  
21 reimbursement for the treatment of the person;

22 (2) the facility provided treatment for the person  
23 under a contract with a local mental health authority; or

24 (3) the facility provided treatment for the person and

1 only received reimbursement under Medicaid [~~it has received no~~  
2 ~~compensation or reimbursement for the treatment of a person for~~  
3 ~~whom court costs have been paid or advanced, the judge of the~~  
4 ~~probate court shall order the clerk of the court to refund the~~  
5 ~~costs~~].

6 SECTION 2. This Act takes effect September 1, 2023.