

By: Spiller

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 probate court shall order the clerk of the
15 court to refund court costs paid or advanced for a person by ~~when~~
16 an inpatient mental health facility as defined under Section
17 571.003(9)(A), (B), (D), or (E) on the filing of ~~[571.003(9)(B) or~~
18 ~~(E) files]~~ an affidavit with the clerk of the court certifying that:

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

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

23 (3) the facility provided treatment for the person and
24 the person is eligible for Medicaid benefits ~~[it has received no~~

1 ~~compensation or reimbursement for the treatment of a person for~~
2 ~~whom court costs have been paid or advanced, the judge of the~~
3 ~~probate court shall order the clerk of the court to refund the~~
4 ~~costs].~~

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