

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
GROUP-CENTERED 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 group-centered 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 group-centered facility is operated in the
county in which the patient is discharged by a person who holds the

1 applicable license or permit; or

2 (2) the patient voluntarily elects to reside in the
3 group-centered 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 group-centered facility in a manner that conflicts
11 with this section.

12 SECTION 3. Section 256.003(c), Health and Safety Code, as
13 added by this Act, applies only to a cause of action that accrues on
14 or after the effective date of this Act.

15 SECTION 4. This Act takes effect September 1, 2023.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 186 passed the Senate on April 20, 2023, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 186 passed the House on May 24, 2023, by the following vote: Yeas 122, Nays 17, one present not voting.

Chief Clerk of the House

Approved:

Date

Governor

S.B. No. 186