

By: Miles

S.B. No. 186

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
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.