

1-1 By: Perry S.B. No. 1677
1-2 (In the Senate - Filed March 6, 2023; March 16, 2023, read
1-3 first time and referred to Committee on Health & Human Services;
1-4 May 1, 2023, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 9, Nays 0; May 1, 2023, sent
1-6 to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	<u>X</u>			
1-10	<u>X</u>			
1-11	<u>X</u>			
1-12	<u>X</u>			
1-13	<u>X</u>			
1-14	<u>X</u>			
1-15	<u>X</u>			
1-16	<u>X</u>			
1-17	<u>X</u>			

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 1677 By: Perry

1-19 A BILL TO BE ENTITLED
1-20 AN ACT

1-21 relating to the establishment and administration of Health and
1-22 Human Services Commission programs providing mental health
1-23 services to certain individuals in this state.

1-24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-25 SECTION 1. Section 531.0991, Government Code, is amended by
1-26 adding Subsection (e-1) to read as follows:

1-27 (e-1) If the commission is appropriated money to implement
1-28 this section for a state fiscal year in an amount that exceeds the
1-29 total amount of grants awarded under this section in the previous
1-30 state fiscal year, the commission, in selecting grant recipients
1-31 for the excess amount, must accept applications or proposals from
1-32 applicants that were not selected as grant recipients under this
1-33 section in the previous state fiscal year or applicants that were
1-34 selected as grant recipients but require additional funding for the
1-35 recipient's community mental health program for purposes of this
1-36 section.

1-37 SECTION 2. Section 531.0993, Government Code, is amended by
1-38 adding Subsections (d-1) and (d-2) to read as follows:

1-39 (d-1) The commission shall establish procedures to assist a
1-40 community collaborative that includes a county with a population of
1-41 less than 250,000 with submission of a petition under Subsection
1-42 (d).

1-43 (d-2) If the commission is appropriated money to implement
1-44 this section for a state fiscal year in an amount that exceeds the
1-45 total amount of grants awarded under this section in the previous
1-46 state fiscal year, the commission, in selecting grant recipients
1-47 for the excess amount, must accept petitions from community
1-48 collaboratives that were not selected as grant recipients under
1-49 this section in the previous state fiscal year or collaboratives
1-50 that were selected as grant recipients in the previous state fiscal
1-51 year but require additional funding for the recipient's
1-52 collaborative for purposes of this section.

1-53 SECTION 3. Subchapter B, Chapter 531, Government Code, is
1-54 amended by adding Section 531.09936 to read as follows:

1-55 Sec. 531.09936. ESTABLISHMENT OR EXPANSION OF REGIONAL
1-56 BEHAVIORAL HEALTH CENTERS OR JAIL DIVERSION CENTERS. (a) In this
1-57 section:

1-58 (1) "Local mental health authority" has the meaning
1-59 assigned by Section 531.002, Health and Safety Code.

1-60 (2) "Nonprofit organization" means an organization

2-1 that is exempt from federal income taxation under Section 501(a),
2-2 Internal Revenue Code of 1986, by being listed as an exempt entity
2-3 under Section 501(c)(3) of that code.

2-4 (b) To the extent money is appropriated to the commission
2-5 for that purpose, the commission, in cooperation with local mental
2-6 health authorities located primarily in rural areas of this state,
2-7 shall contract with nonprofit organizations to establish or expand
2-8 behavioral health centers or jail diversion centers in the
2-9 authorities' local service areas to:

2-10 (1) provide additional forensic hospital beds and
2-11 competency restoration services;

2-12 (2) provide inpatient and outpatient mental health
2-13 services to adults and children; and

2-14 (3) provide services to reduce recidivism and the
2-15 frequency of arrest, incarceration, and emergency detentions among
2-16 persons with mental illness in the service areas.

2-17 (c) The executive commissioner shall develop criteria for
2-18 the evaluation of applications or proposals submitted by a
2-19 nonprofit organization seeking to contract with the commission
2-20 under this section.

2-21 (d) This section may not be construed to affect a grant
2-22 program established by the commission under this code.

2-23 SECTION 4. (a) The state auditor's office shall conduct an
2-24 audit of the inmates in county jails who are waiting for a forensic
2-25 hospital bed for the provision of competency restoration services.
2-26 The audit must identify any issues and inefficiencies in the
2-27 commitment process.

2-28 (b) Not later than December 1, 2024, the state auditor shall
2-29 prepare a report of the audit conducted under Subsection (a) of this
2-30 section and publish the report on the state auditor's Internet
2-31 website. The report must include:

2-32 (1) a review of the history and status of the waitlist
2-33 beginning September 2018 through the most current year for which
2-34 information is available;

2-35 (2) any disparities in treatment in the forensic
2-36 commitment process based on race, gender, ethnicity, or age; and

2-37 (3) any other analysis the state auditor determines
2-38 appropriate.

2-39 (c) This section expires September 1, 2025.

2-40 SECTION 5. As soon as practicable after the effective date
2-41 of this Act, the executive commissioner of the Health and Human
2-42 Services Commission shall adopt rules necessary to implement
2-43 Sections 531.0993(d-1) and 531.09936, Government Code, as added by
2-44 this Act.

2-45 SECTION 6. This Act takes effect September 1, 2023.

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