

By: Rose, Collier, Simmons

H.B. No. 4420

Substitute the following for H.B. No. 4420:

By: VanDeaver

C.S.H.B. No. 4420

A BILL TO BE ENTITLED

AN ACT

relating to the collection of information on available beds at inpatient mental health facilities providing acute psychiatric treatment.

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

SECTION 1. Section 311.0335, Health and Safety Code, is amended by amending Subsection (a) and adding Subsection (c) to read as follows:

(a) A hospital that provides mental health or chemical dependency services shall submit to the department financial and utilization data relating to the mental health and chemical dependency services provided by the hospital, including data for inpatient and outpatient services relating to:

(1) patient demographics, including race, ethnicity, age, gender, and county of residence;

(2) admissions;

(3) discharges, including length of inpatient treatment;

(4) specific diagnoses and procedures according to criteria prescribed by the Diagnostic and Statistical Manual of Mental Disorders, 3rd Edition, Revised, or a later version prescribed by department rule;

(5) total charges and the components of the charges;

(6) payor sources; ~~and~~

(7) use of mechanical restraints; and
(8) total number of inpatient psychiatric beds,
including the total number of beds disaggregated by:

- (A) age;
- (B) online beds; and
- (C) offline beds.

(c) In this section:

(1) "Online bed" means an inpatient psychiatric bed
that is:

- (A) operational and occupied; or
- (B) unoccupied and available to serve patients.

(2) "Offline bed" means an inpatient psychiatric bed
that is unoccupied and unavailable to serve patients.

SECTION 2. (a) In this section:

(1) "Commission" means the Health and Human Services
Commission.

(2) "Inpatient mental health facility" has the meaning
assigned by Section 571.003, Health and Safety Code.

(b) The commission shall conduct a study regarding the
availability of beds at inpatient mental health facilities in this
state that provide acute inpatient psychiatric treatment. The
study must evaluate:

(1) the current number of psychiatric beds available
at inpatient mental health facilities in this state that provide
inpatient psychiatric treatment to individuals experiencing an
acute mental health crisis, including a breakdown of beds
available:

1 (A) at inpatient mental health facilities that
2 are state hospitals operated by the commission;

3 (B) at inpatient mental health facilities other
4 than facilities operated by the commission;

5 (C) at private inpatient mental health
6 facilities; and

7 (D) for patients:

8 (i) committed to a facility for competency
9 restoration services under Chapter 46B, Code of Criminal Procedure;

10 (ii) committed to a facility under Chapter
11 573 or 574, Health and Safety Code;

12 (iii) committed to a facility after having
13 been found not guilty by reason of insanity under Chapter 46C, Code
14 of Criminal Procedure;

15 (iv) voluntarily admitted to a facility;

16 (v) 18 years of age or older;

17 (vi) 12 years of age or older but younger
18 than 18 years of age;

19 (vii) 11 years of age or younger;

20 (viii) receiving not less than 365 days of
21 mental health treatment in a facility; and

22 (ix) who have been diagnosed with an
23 intellectual or developmental disability;

24 (2) the total number of patients who received
25 inpatient psychiatric treatment between September 1, 2025, and
26 August 31, 2026, at inpatient mental health facilities in this
27 state, including private facilities, that provide that treatment to

1 individuals experiencing an acute mental health crisis, including a
2 breakdown of:

3 (A) the number of patients committed to a
4 facility for competency restoration services under Chapter 46B,
5 Code of Criminal Procedure, including the number of individuals
6 committed under an initial order of commitment or an order
7 extending the initial restoration period;

8 (B) the number of patients committed to a
9 facility under Chapter 573 or 574, Health and Safety Code;

10 (C) the number of patients committed to a
11 facility after having been found not guilty by reason of insanity
12 under Chapter 46C, Code of Criminal Procedure;

13 (D) the number of patients voluntarily admitted
14 to a facility;

15 (E) the number of patients 18 years of age or
16 older;

17 (F) the number of patients 12 years of age or
18 older but younger than 18 years of age;

19 (G) the number of patients 11 years of age or
20 younger;

21 (H) the percentage of patients admitted to a
22 facility who require not less than 365 days of mental health
23 treatment in a facility;

24 (I) the number of patients who have been
25 diagnosed with an intellectual or developmental disability;

26 (J) the number of patients receiving services
27 from a jail diversion program;

(K) the number of patients who have been admitted two or more times to a facility; and

(L) the number of patients who reach the 190-day limit of inpatient psychiatric treatment under the Medicare program; and

(3) the projected need over the next 10 years of inpatient mental health facilities that provide inpatient psychiatric treatment to individuals experiencing an acute mental health crisis for:

(A) additional inpatient psychiatric beds, including needed beds that are funded or under construction, and the projected percentage needed for patients who require not less than 365 days of treatment; and

(B) additional resources, including workforce needs, necessary to meet the demands described by this subsection.

(c) In designing and conducting the study, the commission may collaborate with institutions of higher education, as defined by Section 61.003, Education Code, in this state that award medical degrees.

(d) Not later than December 1, 2026, the commission shall prepare and submit to the legislature a written report containing the results of the study and any recommendations for legislative or other action.

(e) This section expires September 1, 2027.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this

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1 Act does not receive the vote necessary for immediate effect, this

2 Act takes effect September 1, 2025.