

By: Rose

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(a), Health and Safety Code, is amended 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

1 (8) availability of inpatient psychiatric beds by age.

2 SECTION 2. (a) In this section:

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

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

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

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

16 (A) at inpatient mental health facilities that
17 are state hospitals operated by the Department of State Health
18 Services;

19 (B) at inpatient mental health facilities other
20 than facilities operated by the Department of State Health
21 Services; and

22 (C) for patients:

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

25 (ii) civilly committed to a facility under
26 Chapter 841, Health and Safety Code;

27 (iii) committed to a facility after having

1 been found not guilty by reason of insanity under Chapter 46C, Code
2 of Criminal Procedure;

3 (iv) voluntarily admitted to a facility;

4 (v) 18 years of age or older;

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

7 (vii) 11 years of age or younger;

8 (viii) receiving long-term mental health
9 treatment in a facility; and

10 (ix) who have been diagnosed with an
11 intellectual or developmental disability;

12 (2) the current number of patients admitted to an
13 inpatient mental health facility in this state that provides
14 inpatient psychiatric treatment to individuals experiencing an
15 acute mental health crisis, including a breakdown of:

16 (A) the number of patients committed to a
17 facility for competency restoration services under Chapter 46B,
18 Code of Criminal Procedure, including the number of individuals
19 committed under an initial order of commitment or an order
20 extending the initial restoration period;

21 (B) the number of patients civilly committed to a
22 facility under Chapter 841, Health and Safety Code;

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

26 (D) the number of patients voluntarily admitted
27 to a facility;

1 (E) the number of patients 18 years of age or
2 older;

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

5 (G) the number of patients 11 years of age or
6 younger;

7 (H) the percentage of patients in this state who
8 will likely require long-term mental health treatment in a
9 facility;

10 (I) the number of patients who have been
11 diagnosed with an intellectual or developmental disability; and

12 (J) the number of patients receiving services
13 from a jail diversion program;

14 (3) the projected need over the next several years for
15 additional psychiatric beds at inpatient mental health facilities
16 that provide inpatient psychiatric treatment to individuals
17 experiencing an acute mental health crisis, including the projected
18 percentage of incoming patients who will likely require long-term
19 mental health treatment in a facility; and

20 (4) current and anticipated resources, including
21 workforce needs, necessary to meet the demands described by
22 Subdivisions (1), (2), and (3) of this subsection.

23 (c) In designing and conducting the study, the commission:

24 (1) may collaborate with institutions of higher
25 education, as defined by Section 61.003, Education Code, in this
26 state that award medical degrees; and

27 (2) shall collect the information required under

1 Subsection (b) of this section at least twice.

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

6 (e) This section expires September 1, 2027.

7 SECTION 3. This Act takes effect immediately if it receives
8 a vote of two-thirds of all the members elected to each house, as
9 provided by Section 39, Article III, Texas Constitution. If this
10 Act does not receive the vote necessary for immediate effect, this
11 Act takes effect September 1, 2025.