

BILL ANALYSIS

H.B. 3240
By: Hilderbran
Public Health
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Under current law, only a district or county attorney may file an application for court-ordered chemical dependency treatment that is not accompanied by a certificate of medical examination. This bill allows for a member of a person's family to file a sworn written application for court-ordered chemical dependency treatment of an adult; the application does not have to be accompanied by certificate of medial exam.

The bill empowers a family member to make an application for chemical dependency treatment, without having to wait on a medical exam. This bill does not change the process for commitment to court-ordered treatment; the medical exam is still required and is a vital part of the process. The bill serves to streamline process by enabling family members to apply for court ordered treatment for adult at the earliest date possible.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

SECTION 1. Amends the Health and Safety Code, by adding a new Subsection (a) to define "member of the person's family" as a family member who is related to the person within the second degree by affinity or consanguinity. Subsection (a-1) allows a member of the person's family to file an application for treatment without a certificate of medical examination.

SECTION 2. This Act takes effect September 1, 2003.

EFFECTIVE DATE

September 1, 2003.