

By: Dutton

H.B. No. 362

A BILL TO BE ENTITLED

AN ACT

relating to in-prison geriatric communities.

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

SECTION 1. Subchapter C, Chapter 501, Government Code, is amended by adding Section 501.094 to read as follows:

Sec. 501.094. IN-PRISON GERIATRIC COMMUNITIES. (a) The institutional division shall establish a program to confine and treat in in-prison geriatric communities inmates who are 60 years of age or older.

(b) The institutional division and the Texas Department on Aging shall jointly develop methods of screening and assessing inmates to determine their needs as geriatric inmates. The institutional division shall screen for geriatric problems each inmate in the custody of the institutional division not later than the inmate's 58th birthday.

(c) The program must consist of a treatment program of indeterminate length that addresses the special problems of geriatric inmates.

(d) The institutional division shall separate inmates participating in the program from the general population of the division and house the inmates in discrete units or areas within units, except during the diagnostic process or at other times determined to be necessary by the division for medical or security purposes.

1       (e) The institutional division shall employ or contract  
2 with qualified professionals to implement the program. For  
3 purposes of this subsection, a "qualified professional" is a person  
4 who:

5           (1) is a certified social worker or advanced clinical  
6 practitioner and who has at least two years of experience in  
7 geriatric counseling; or

8           (2) is a licensed professional counselor, physician,  
9 or psychologist and who has at least two years of experience in  
10 geriatric counseling.

11       (f) The institutional division shall adopt rules of conduct  
12 for inmates participating in the program.

13       (g) If the qualified professional implementing the program  
14 determines that an inmate is not complying with the rules of the  
15 program, the qualified professional shall notify the institutional  
16 division of that fact and the institutional division shall end the  
17 inmate's participation in the program and transfer the inmate out  
18 of the program.

19       (h) The institutional division shall provide at least 800  
20 beds for housing participants in the program. The institutional  
21 division not less often than every two years shall determine  
22 whether the division should increase the number of beds provided by  
23 the division for the program.

24       (i) If funding is available, the Criminal Justice Policy  
25 Council, with the assistance of the institutional division, shall  
26 develop methods to evaluate the processes used by the division in  
27 providing the program and the level of success achieved by the

1 program.

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