

By: Farabee, Davis of Harris, et al.

H.B. No. 1801

A BILL TO BE ENTITLED

AN ACT

1
2 relating to local area service planning by local mental health or
3 mental retardation authorities.

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

5 SECTION 1. Subchapter B, Chapter 533, Health and Safety
6 Code, is amended by adding Section 533.0354 to read as follows:

7 Sec. 533.0354. LOCAL AUTHORITY PLANNING FOR LOCAL SERVICE
8 AREA. (a) Each local mental health or mental retardation authority
9 shall develop a local service area plan to maximize the authority's
10 services by using the best and most cost-effective means of using
11 federal, state, and local resources to meet the needs of the local
12 community according to the relative priority of those needs.

13 (b) A local service area plan must be consistent with the
14 purposes, goals, and policies stated in Section 531.001 and the
15 department's long-range plan developed under Section 533.032.

16 (c) The department and a local mental health or mental
17 retardation authority shall use the local authority's local service
18 plan as the basis for contracts between the department and the local
19 authority and for establishing the local authority's
20 responsibility for achieving outcomes related to the needs and
21 characteristics of the authority's local service area.

22 (d) In developing the local service area plan, the local
23 mental health or mental retardation authority shall:

24 (1) solicit information regarding community needs

1 from:

2 (A) representatives of the local community;

3 (B) consumers of community-based mental health
4 and mental retardation services and members of the families of
5 those consumers; and

6 (C) other interested persons; and

7 (2) consider:

8 (A) criteria for assuring accountability for,
9 cost-effectiveness of, and relative value of service delivery
10 options;

11 (B) goals to minimize institutional care of
12 consumers and department campus-based services for consumers;

13 (C) goals to divert consumers from the criminal
14 justice system; and

15 (D) opportunities for innovation in services and
16 service delivery.

17 SECTION 2. (a) This Act takes effect immediately if it
18 receives a vote of two-thirds of all the members elected to each
19 house, as provided by Section 39, Article III, Texas Constitution.
20 If this Act does not receive the vote necessary for immediate
21 effect, this Act takes effect September 1, 2003.

22 (b) Section 533.0354(c), Health and Safety Code, as added by
23 this Act, applies only to contracts between the Texas Department of
24 Mental Health and Mental Retardation and a local mental health or
25 mental retardation authority executed on or after January 1, 2004.

COMMITTEE AMENDMENT NO. 1

(1) Amend H.B. 1801 by inserting the following new subsections (e) and (f) to read as follows:

(e) The performance agreement shall specify required standard outcomes for the programs administered by a local authority. Performance related to these outcomes must be verifiable by the Department, but should include community center and advocacy group input.

(f) Measures relating to outputs and units of service delivered, shall be included in the performance agreement, and recorded in the local authority automated data systems. Copies of these output/service reports shall be forwarded to the Department at least annually, as determined by the Department.

(2) Renumber the remaining subsections accordingly.

McReynolds