

By: Olivo, Kolkhorst, McReynolds, Dukes,  
Howard, et al.

H.B. No. 2479

Substitute the following for H.B. No. 2479:

By: Coleman

C.S.H.B. No. 2479

A BILL TO BE ENTITLED

AN ACT

relating to criteria for voluntary admission to state schools for  
persons with mental retardation.

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

SECTION 1. Subchapter B, Chapter 593, Health and Safety  
Code, is amended by adding Section 593.0225 to read as follows:

Sec. 593.0225. CRITERIA FOR VOLUNTARY ADMISSION; WAITING  
LIST. (a) The board by rule shall provide that a state school shall  
admit any person with mental retardation for whom an application  
for voluntary admission is filed, if:

(1) the state school has sufficient bed space for the  
person to be admitted for care;

(2) the person is eligible to receive Medicaid  
benefits; and

(3) the state school would provide the least  
restrictive environment appropriate to the person's care.

(b) Each state school shall maintain a waiting list of  
persons who desire voluntary admission to a state school and who  
were denied admission because of lack of bed space.

(c) The department shall ensure that persons seeking state  
services for a person with mental retardation are informed of the  
criteria established in rules adopted under Subsection (a), of the  
waiting list required by Subsection (b), and of the addresses and  
telephone numbers of each state school.

1        (d) The board may adopt rules to facilitate the application  
2 process for voluntary admission to a state school, the maintenance  
3 of the waiting list required by Subsection (b), and the provision of  
4 information as required by Subsection (c).

5            SECTION 2. The Texas Department of Mental Health and Mental  
6 Retardation shall ensure that persons on a waiting list maintained  
7 by a mental retardation authority for admission to a state school  
8 are informed of:

9            (1) criteria established in rules adopted under  
10 Section 593.0225, Health and Safety Code, as added by this Act;

11            (2) the waiting lists required by that section; and

12            (3) the address and telephone number of each state  
13 school.

14            SECTION 3. This Act takes effect September 1, 2003, and  
15 applies to an application for voluntary admission filed on or after  
16 that date. An application for voluntary admission filed before  
17 that date is governed by the law in effect on the date the  
18 application was filed, and that law is continued in effect for that  
19 purpose.