

1-1 By: Armbrister, Carona S.B. No. 990
1-2 (In the Senate - Filed March 7, 2003; March 13, 2003, read
1-3 first time and referred to Committee on Health and Human Services;
1-4 May 22, 2003, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 7, Nays 2; May 22, 2003,
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 990 By: Janek

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to criteria for voluntary admission to state schools for
1-11 persons with mental retardation.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Subchapter B, Chapter 593, Health and Safety
1-14 Code, is amended by adding Section 593.0225 to read as follows:

1-15 Sec. 593.0225. CRITERIA FOR VOLUNTARY ADMISSION; WAITING
1-16 LIST. (a) The board by rule shall provide that a state school
1-17 shall admit any person with mental retardation for whom an
1-18 application for voluntary admission is filed if:

1-19 (1) the state school has sufficient bed space for the
1-20 person to be admitted for care;

1-21 (2) the person is eligible to receive Medicaid
1-22 benefits; and

1-23 (3) the state school would provide the least
1-24 restrictive environment appropriate to the person's care.

1-25 (b) Each state school shall maintain a waiting list of
1-26 persons who desire voluntary admission to a state school and who
1-27 were denied admission because of lack of bed space.

1-28 (c) The department shall ensure that persons seeking state
1-29 services for a person with mental retardation are informed of the
1-30 criteria established in rules adopted under Subsection (a), of the
1-31 waiting list required by Subsection (b), and of the addresses and
1-32 telephone numbers of each state school.

1-33 (d) The board may adopt rules to facilitate the application
1-34 process for voluntary admission to a state school, the maintenance
1-35 of the waiting list required by Subsection (b), and the provision of
1-36 information as required by Subsection (c).

1-37 SECTION 2. The Texas Department of Mental Health and Mental
1-38 Retardation shall ensure that persons on a waiting list maintained
1-39 by a mental retardation authority for admission to a state school
1-40 are informed of:

1-41 (1) criteria established in rules adopted under
1-42 Section 593.0225, Health and Safety Code, as added by this Act;

1-43 (2) the waiting lists required by that section; and

1-44 (3) the address and telephone number of each state
1-45 school.

1-46 SECTION 3. This Act takes effect September 1, 2003, and
1-47 applies to an application for voluntary admission filed on or after
1-48 that date. An application for voluntary admission filed before
1-49 that date is governed by the law in effect on the date the
1-50 application was filed, and that law is continued in effect for that
1-51 purpose.

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