

By: Deuell, Hinojosa

S.B. No. 1182

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  
9 authority shall develop a local service area plan to maximize the  
10 authority's services by using the best and most cost-effective  
11 means of using federal, state, and local resources to meet the needs  
12 of the local community according to the relative priority of those  
13 needs. Each local mental health or mental retardation authority  
14 shall undertake to maximize federal funding.

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

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

24 (d) In developing the local service area plan, the local

1 mental health or mental retardation authority shall:

2 (1) solicit information regarding community needs  
3 from:

4 (A) representatives of the local community;

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

8 (C) other interested persons; and

9 (2) consider:

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

13 (B) goals to minimize the need for state hospital  
14 and community hospital care;

15 (C) goals to ensure a client with mental  
16 retardation is placed in the least restrictive environment  
17 appropriate to the person's care;

18 (D) goals to divert consumers from the criminal  
19 justice system; and

20 (E) opportunities for innovation in services and  
21 service delivery.

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

27 (b) Subsection (c), Section 533.0354, Health and Safety

1 Code, as added by this Act, applies only to contracts between the  
2 Texas Department of Mental Health and Mental Retardation and a  
3 local mental health or mental retardation authority executed on or  
4 after January 1, 2004.