

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.

COMMITTEE AMENDMENT NO. 1

(1) Amend SB 1182 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