

1-1 By: Deuell S.B. No. 1182
1-2 (In the Senate - Filed March 11, 2003; March 19, 2003, read
1-3 first time and referred to Committee on Health and Human Services;
1-4 April 14, 2003, reported favorably, as amended, by the following
1-5 vote: Yeas 9, Nays 0; April 14, 2003, sent to printer.)

1-6 COMMITTEE AMENDMENT NO. 1 By: Deuell

1-7 Amend S.B. No. 1182 as follows:

1-8 (1) In SECTION 1 of the bill, immediately following the
1-9 period at the end of proposed Subsection (a), Section 533.0354,
1-10 Health and Safety Code (Committee Printing page 1, line 40),
1-11 insert:

1-12 Each local mental health or mental retardation authority shall
1-13 undertake to maximize federal funding.

1-14 (2) In SECTION 1 of the bill, strike Paragraphs (B), (C),
1-15 and (D), Subdivision (2), Subsection (d), Section 533.0354, Health
1-16 and Safety Code (Committee Printing page 2, lines 1-6), and
1-17 substitute:

1-18 (B) goals to minimize the need for state hospital
1-19 and community hospital care;

1-20 (C) goals to ensure a client with mental
1-21 retardation is placed in the least restrictive environment
1-22 appropriate to the person's care;

1-23 (D) goals to divert consumers from the criminal
1-24 justice system; and

1-25 (E) opportunities for innovation in services and
1-26 service delivery.

1-27 A BILL TO BE ENTITLED
1-28 AN ACT

1-29 relating to local area service planning by local mental health or
1-30 mental retardation authorities.

1-31 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-32 SECTION 1. Subchapter B, Chapter 533, Health and Safety
1-33 Code, is amended by adding Section 533.0354 to read as follows:

1-34 Sec. 533.0354. LOCAL AUTHORITY PLANNING FOR LOCAL SERVICE
1-35 AREA. (a) Each local mental health or mental retardation

1-36 authority shall develop a local service area plan to maximize the
1-37 authority's services by using the best and most cost-effective
1-38 means of using federal, state, and local resources to meet the needs
1-39 of the local community according to the relative priority of those
1-40 needs.

1-41 (b) A local service area plan must be consistent with the
1-42 purposes, goals, and policies stated in Section 531.001 and the
1-43 department's long-range plan developed under Section 533.032.

1-44 (c) The department and a local mental health or mental
1-45 retardation authority shall use the local authority's local service
1-46 plan as the basis for contracts between the department and the local
1-47 authority and for establishing the local authority's
1-48 responsibility for achieving outcomes related to the needs and
1-49 characteristics of the authority's local service area.

1-50 (d) In developing the local service area plan, the local
1-51 mental health or mental retardation authority shall:

1-52 (1) solicit information regarding community needs
1-53 from:

1-54 (A) representatives of the local community;

1-55 (B) consumers of community-based mental health
1-56 and mental retardation services and members of the families of
1-57 those consumers; and

1-58 (C) other interested persons; and

1-59 (2) consider:

1-60 (A) criteria for assuring accountability for,
1-61 cost-effectiveness of, and relative value of service delivery
1-62 options;

2-1 (B) goals to minimize institutional care of
2-2 consumers and department campus-based services for consumers;

2-3 (C) goals to divert consumers from the criminal
2-4 justice system; and

2-5 (D) opportunities for innovation in services and
2-6 service delivery.

2-7 SECTION 2. (a) This Act takes effect immediately if it
2-8 receives a vote of two-thirds of all the members elected to each
2-9 house, as provided by Section 39, Article III, Texas Constitution.
2-10 If this Act does not receive the vote necessary for immediate
2-11 effect, this Act takes effect September 1, 2003.

2-12 (b) Subsection (c), Section 533.0354, Health and Safety
2-13 Code, as added by this Act, applies only to contracts between the
2-14 Texas Department of Mental Health and Mental Retardation and a
2-15 local mental health or mental retardation authority executed on or
2-16 after January 1, 2004.

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