

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION**

**May 2, 2003**

**TO:** Honorable Jaime Capelo, Chair, House Committee on Public Health

**FROM:** John Keel, Director, Legislative Budget Board

**IN RE: SB1764** by Deuell (Relating to releasing personal information of former residents of mental health facilities for the purposes of preparing grave markers.), **As Engrossed**

**No fiscal implication to the State is anticipated.**

The bill would amend Sections 576.005 and 595.005 of the Health and Safety Code to require the Texas Department of Mental Health and Mental Retardation (TDMHMR) to release the name, date of birth and date of death of a person who dies while a patient at a mental health facility or while a resident of a residential care facility. The information may be released to an employee or agent of a funeral home, cemetery or other appropriate person. Information may not be released if the patient or patient's guardian provides written instructions to the contrary to the facility administrator.

The bill would also amend Section 595.001, Health and Safety Code, by specifying that Section 595.005 is an authorized circumstance under which records of the identity of a person that are maintained in connection with the performance of a program or activity relating to mental retardation may be disclosed.

The bill would become effective immediately upon passage.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 655 Department of Mental Health and Mental Retardation

**LBB Staff:** JK, EB, KF, MB