

## **BILL ANALYSIS**

C.S.H.B. 3067  
By: Raymond  
Human Services  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Currently, the courts have discretion as to whom they may authorize to transport mental health patients to a mental health facility. However, current law does not provide an order of priority to guide the courts in making these decisions. Law enforcement officials, who in some cases do not have specialized training, are often the default choice of the courts.

C.S.H.B. 3067 assigns priority to persons with mental health training and persons who have an interest in the patient's welfare.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

The bill provides that a court may authorize the transportation of a mental patient in the following order of priority:

- a special officer for mental health assignment
- the facility administrator of the designated mental health facility, in certain circumstances
- a representative of the local mental health authority
- a relative or other responsible person who has a proper interest in the patient's welfare
- a sheriff or constable.

The bill also includes certain provisions relating to reimbursement of expenses.

### **EFFECTIVE DATE**

September 1, 2005

### **COMPARISON OF ORIGINAL TO SUBSTITUTE**

The original; bill provides the following order of priority for the transportation of mental health patients:

- the facility administrator of the designated mental health facility, in certain circumstances
- a representative of the local mental health authority
- a relative or other responsible person who has a proper interest in the patient's welfare
- a special officer for mental health assignment
- a sheriff or constable, if none of the above persons are available.

The substitute bill provides an order of priority as set forth in the ANALYSIS section above.