

By: Dutton

H.B. No. 448

A BILL TO BE ENTITLED

AN ACT

relating to in-prison geriatric communities.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter C, Chapter 501, Government Code, is amended by adding Section 501.094 to read as follows:

Sec. 501.094. IN-PRISON GERIATRIC COMMUNITIES. (a) The institutional division shall establish a program to confine and treat in in-prison geriatric communities inmates who are 60 years of age or older.

(b) The institutional division and the Texas Department of Aging and Disability Services shall jointly develop methods of screening and assessing inmates to determine their needs as geriatric inmates. The institutional division shall screen for geriatric problems each inmate in the custody of the institutional division not later than the inmate's 58th birthday.

(c) The program must consist of a treatment program of indeterminate length that addresses the special problems of geriatric inmates.

(d) The institutional division shall separate inmates participating in the program from the general population of the division and house the inmates in discrete units or areas within units, except during the diagnostic process or at other times determined to be necessary by the division for medical or security purposes.

1 (e) The institutional division shall employ or contract
2 with qualified professionals to implement the program. For
3 purposes of this subsection, a "qualified professional" is a person
4 who has at least two years of experience in geriatric counseling and
5 is:

6 (1) a certified social worker or advanced clinical
7 practitioner;

8 (2) a licensed professional counselor, advanced
9 practice nurse, physician, or psychologist; or

10 (3) a registered nurse with a master's degree in
11 psychiatric or mental health nursing.

12 (f) The institutional division shall adopt rules of conduct
13 for inmates participating in the program.

14 (g) If the qualified professional implementing the program
15 determines that an inmate is not complying with the rules of the
16 program, the qualified professional shall notify the institutional
17 division of that fact and the institutional division shall end the
18 inmate's participation in the program and transfer the inmate out
19 of the program.

20 (h) The institutional division shall provide at least 800
21 beds for housing participants in the program. The institutional
22 division not less often than every two years shall determine
23 whether the division should increase the number of beds provided by
24 the division for the program.

25 (i) If funding is available, the criminal justice division
26 of the governor's office, with the assistance of the institutional
27 division, shall develop methods to evaluate the processes used by

1 the division in providing the program and the level of success
2 achieved by the program.

3 SECTION 2. This Act takes effect September 1, 2005.