

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

May 3, 2005

TO: Honorable Suzanna Gratia Hupp, Chair, House Committee on Human Services

FROM: John S. O'Brien, Deputy Director, Legislative Budget Board

IN RE: HB2967 by Martinez (Relating to the transportation of certain mental health patients.),
Committee Report 1st House, Substituted

Estimated Two-year Net Impact to General Revenue Related Funds for HB2967, Committee Report 1st House, Substituted: a negative impact of (\$234,000) through the biennium ending August 31, 2007.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2006	(\$117,000)
2007	(\$117,000)
2008	(\$117,000)
2009	(\$117,000)
2010	(\$117,000)

All Funds, Five-Year Impact:

Fiscal Year	Probable (Cost) from GENERAL REVENUE FUND 1
2006	(\$117,000)
2007	(\$117,000)
2008	(\$117,000)
2009	(\$117,000)
2010	(\$117,000)

Fiscal Analysis

The bill would amend Section 574.045 (a) of the Health and Safety Code, relating to transportation of certain mental health patients. The bill would designate the priority order of parties responsible for the transportation of patients committed to a mental health facility. The priority order would be as follows: 1) a relative or other responsible person 2) a mental health facility administrator 3) a special officer for mental health assignment 4) the local mental health authority and 5) a sheriff or constable, if none of the above are available.

The bill would add a new section (a-1), which would set out separate priority order for counties located on the Texas-Mexico border with populations of 500,000 or more and adjacent to two or more counties with populations of 50,000 or more. The priority order would be as follows: 1) a relative or other responsible person 2) a mental health facility administrator 3) the local mental health authority

4) a special officer for mental health assignment and 5) a sheriff or constable, if none of the above are available. The Department of State Health Services may reimburse both the special officer for mental health and the sheriff or constable, if funds are appropriated for this purpose, or as provided by section 571.018.

The bill would add a new section (a-2), which specifies that a person authorized under section (a-1) to transport a patient may contract with a third party to provide the transportation service.

The bill would take effect September 1, 2005.

Methodology

The cost of the bill relates to the court-authorized transfers from counties described in subsection (a-1). The only county that fits the description of this section is Hidalgo county. The Department of State Health Services (DSHS) estimates 180 transports per year, based on FY 2004 data on the number of patients transported from Rio Grande State Center to the San Antonio State Hospital. The cost per transport is assumed to be \$650, for a total yearly cost of \$117,000 in General Revenue. The transports assumed here are an estimate of the number that would be made by the special officer for mental health or the sheriff/constable. The average cost reflects the specialized training and vehicles that are necessary for these transports.

Technology

There is no significant impact on information technology.

Local Government Impact

If funds are not appropriated to the Department of State Health Services (DSHS) to reimburse sheriffs, constables, special officers for mental health assignments, or other county employees that transport committed or detained patients, the reimbursements will have to be provided by the county. DSHS estimates a cost of \$650 per admission, and the total cost to Hidalgo county would depend on the number of admissions in that county in a fiscal year.

Source Agencies: 539 Department of Aging and Disability Services, 537 Department of State Health Services

LBB Staff: JOB, KF, KJG, MB, CL, PP