

By: Moreno

H.B. No. 452

A BILL TO BE ENTITLED

AN ACT

relating to services provided through local mental health and mental retardation authorities.

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

SECTION 1. Section 533.035, Health and Safety Code, is amended by adding Subsection (h) to read as follows:

(h) For purposes of Subsections (e) and (g), provision of services by contract or other arrangement with any of the following persons is considered to be provision of services by the local mental health and mental retardation authority itself:

(1) a subsidiary of the local mental health and mental retardation authority;

(2) an entity formerly a subsidiary of the local mental health and mental retardation authority;

(3) an entity affiliated with a subsidiary of the local mental health and mental retardation authority;

(4) an entity to which a treatment facility of the local mental health and mental retardation authority or of a subsidiary of the local mental health and mental retardation authority has been sold or transferred; or

(5) an entity that has on its board of directors or governing body a member of the board of directors or governing body of the local mental health and mental retardation authority or of a subsidiary of the local mental health and mental retardation

1 authority.

2 SECTION 2. The change in law made by this Act applies only
3 to services provided under a contract or other arrangement between
4 a local mental health and mental retardation authority and another
5 entity entered into on or after the effective date of this Act.
6 Services provided under a contract or other arrangement between a
7 local mental health and mental retardation authority and another
8 entity entered into before the effective date of this Act are
9 governed by the law in effect immediately before the effective date
10 of this Act, and the former law is continued in effect for that
11 purpose.

12 SECTION 3. This Act takes effect immediately if it receives
13 a vote of two-thirds of all the members elected to each house, as
14 provided by Section 39, Article III, Texas Constitution. If this
15 Act does not receive the vote necessary for immediate effect, this
16 Act takes effect September 1, 2007.