

By: Dutton

H.B. No. 763

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 department shall establish a program to confine and treat in in-prison geriatric communities inmates who are 60 years of age or older.

(b) The department and the Department of Aging and Disability Services shall jointly develop methods of screening and assessing inmates to determine their needs as geriatric inmates. The department shall screen for geriatric problems each inmate in the custody of the department 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 department shall separate inmates participating in the program from the general population of the department 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 department for medical or security purposes.

(e) The department shall employ or contract with qualified

1 professionals to implement the program. For purposes of this
2 subsection, a "qualified professional" is a person who has at least
3 two years of experience in geriatric counseling and is:

4 (1) a certified social worker or advanced clinical
5 practitioner;

6 (2) a licensed professional counselor, advanced
7 practice nurse, physician, or psychologist; or

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

10 (f) The department shall adopt rules of conduct for inmates
11 participating in the program.

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

17 (h) The department shall provide at least 800 beds for
18 housing participants in the program. The department not less often
19 than every two years shall determine whether the department should
20 increase the number of beds provided by the department for the
21 program.

22 (i) If funding is available, the criminal justice division
23 of the governor's office, with the assistance of the department,
24 shall develop methods to evaluate the processes used by the
25 department in providing the program and the level of success
26 achieved by the program.

27 SECTION 2. This Act takes effect September 1, 2007.