

By: Van de Putte

S.B. No. 973

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to notification to a patient of a mental health facility or  
3 resident of a residential care facility of the exemption of certain  
4 trusts from liability to pay for support.

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

6 SECTION 1. Subchapter A, Chapter 576, Health and Safety  
7 Code, is amended by adding Section 576.010 to read as follows:

8 Sec. 576.010. NOTIFICATION OF TRUST EXEMPTION. (a) At the  
9 time a patient is admitted to an inpatient mental health facility  
10 for voluntary or involuntary inpatient mental health services, the  
11 facility shall provide to the patient written notice, in the  
12 patient's primary language, that a trust that qualifies under  
13 Section 552.018 is not liable for the patient's support. In  
14 addition, the facility shall ensure that, within 24 hours after the  
15 patient is admitted to the facility, the notification is explained  
16 to the patient:

17 (1) orally, in simple, nontechnical terms in the  
18 patient's primary language, if possible; or

19 (2) through a means reasonably calculated to  
20 communicate with a patient who has an impairment of vision or  
21 hearing, if applicable.

22 (b) Notice required under Subsection (a) must also be  
23 attached to any request for payment for the patient's support.

24 SECTION 2. Subchapter D, Chapter 592, Health and Safety

1 Code, is amended by adding Section 592.056 to read as follows:

2 Sec. 592.056. NOTIFICATION OF TRUST EXEMPTION. (a) At the  
3 time a resident is admitted to a residential care facility, the  
4 facility shall provide to the resident, and the parent if the  
5 resident is a minor or the guardian of the person of the resident,  
6 written notice, in the person's primary language, that a trust that  
7 qualifies under Section 593.081 is not liable for the resident's  
8 support. In addition, the facility shall ensure that, within 24  
9 hours after the resident is admitted to the facility, the  
10 notification is explained to the resident, and the parent if the  
11 resident is a minor or the guardian of the person of the resident:

12 (1) orally, in simple, nontechnical terms in the  
13 person's primary language, if possible; or

14 (2) through a means reasonably calculated to  
15 communicate with a person who has an impairment of vision or  
16 hearing, if applicable.

17 (b) Notice required under Subsection (a) must also be  
18 attached to any request for payment for the resident's support.

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