

By: Van de Putte

S.B. No. 1275

A BILL TO BE ENTITLED

AN ACT

relating to services of a community mental health and mental
retardation center.

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

SECTION 1. Section 534.001, Health and Safety Code, is
amended by adding Subsection (d-1) to read as follows:

(d-1) The community center's plan for mental health or
mental retardation services may include, as the local agency or
local agencies consider appropriate, mental health services,
mental retardation services, substance abuse services, and any
other associated services that may be offered as part of a statewide
or regional service proposal. Services included in the center's
plan under this subsection are not subject to Section 533.035(g) or
other privatization requirements.

SECTION 2. Subchapter A, Chapter 534, Health and Safety
Code, is amended by adding Section 534.0012 to read as follows:

Sec. 534.0012. SERVICES OUTSIDE OF REGION. (a) A community
center may provide services outside of the boundaries of the local
agency or agencies participating in the community center's
operation if the center submits to the department a request to
modify the center's plan under Section 534.001(e) to authorize the
provision of those services and the department approves the
modification. The request for the modification:

(1) must include a description of the services to be

1 provided outside the center's region;

2 (2) may restrict the areas in which the center will
3 provide those services; and

4 (3) must include evidence that each participating
5 local agency has expressly approved the request for the
6 modification.

7 (b) The department shall approve the request for
8 modification of the community center's plan under this section if
9 the department determines that the center can appropriately,
10 effectively, and efficiently provide those services as provided by
11 the modified plan.

12 (c) The department may not disapprove of a center's request
13 for modification on the sole basis that the modified plan would
14 authorize the center to provide services outside of its region.

15 SECTION 3. Section 534.002, Health and Safety Code, is
16 amended to read as follows:

17 Sec. 534.002. BOARD OF TRUSTEES FOR CENTER ESTABLISHED BY
18 ONE LOCAL AGENCY. The board of trustees of a community center
19 established by one local agency is composed of:

20 (1) the members of the local agency's governing body;
21 or

22 (2) not fewer than five or more than nine qualified
23 voters who reside in the region primarily to be served by the center
24 and who are appointed by the local agency's governing body.

25 SECTION 4. Section 534.003(b), Health and Safety Code, is
26 amended to read as follows:

27 (b) The governing bodies of the local agencies shall appoint

1 the board members either from among the membership of the governing
2 bodies or from among the qualified voters who reside in the region
3 primarily to be served by the center.

4 SECTION 5. This Act takes effect September 1, 2007.