

By: McReynolds, Miller of Erath

H.B. No. 4451

Substitute the following for H.B. No. 4451:

By: Madden

C.S.H.B. No. 4451

A BILL TO BE ENTITLED

1 AN ACT

2 relating to continuity of care services for youth with mental
3 illness or mental retardation who are discharged or paroled from
4 the Texas Youth Commission.

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

6 SECTION 1. Section 61.077, Human Resources Code, is amended
7 by adding Subsection (g) to read as follows:

8 (g) If a child who is mentally ill or mentally retarded is
9 discharged from the commission under Subsection (b), the child is
10 eligible to receive continuity of care services from the Texas
11 Correctional Office on Offenders with Medical or Mental Impairments
12 under Chapter 614, Health and Safety Code.

13 SECTION 2. Section 61.0772, Human Resources Code, is
14 amended by adding Subsection (d) to read as follows:

15 (d) Before a child who is identified as mentally ill or
16 mentally retarded is discharged from the commission under Section
17 61.077(b), the commission shall refer the child to the Texas
18 Correctional Office on Offenders with Medical or Mental Impairments
19 for continuity of care services under Chapter 614, Health and
20 Safety Code, regardless of whether the child is receiving mental
21 health services or mental retardation services.

22 SECTION 3. Section 614.019, Health and Safety Code, is
23 amended to read as follows:

24 Sec. 614.019. PROGRAMS FOR JUVENILES. (a) The office, in

1 cooperation with the Texas Commission on Alcohol and Drug Abuse,
2 the Texas Department of Mental Health and Mental Retardation, the
3 Department of Protective and Regulatory Services, the Texas
4 Juvenile Probation Commission, the Texas Youth Commission, and the
5 Texas Education Agency, may establish and maintain programs,
6 building on existing successful efforts in communities, to address
7 prevention, intervention, and continuity of care for juveniles with
8 mental health and substance abuse disorders.

9 (b) A child with mental illness who is receiving continuity
10 of care services during parole from the Texas Youth Commission and
11 who is no longer eligible to receive services from a local mental
12 health authority when the child becomes 17 years of age because the
13 child does not meet the requirements of a local service area plan
14 under Section 533.0352(a) may continue to receive continuity of
15 care services from the office until the child completes the child's
16 parole.

17 (c) A child with mental illness or mental retardation who is
18 discharged from the Texas Youth Commission under Section 61.077,
19 Human Resources Code, may receive continuity of care services from
20 the office for a minimum of 90 days after discharge from the
21 commission and for as long as necessary for the child to demonstrate
22 sufficient stability to transition successfully to mental health or
23 mental retardation services provided by a local mental health or
24 mental retardation authority.

25 SECTION 4. The change in law made by this Act applies to a
26 child who is discharged or paroled from the Texas Youth Commission
27 on or after the effective date of this Act, regardless of when the

1 child was committed to the commission.

2 SECTION 5. This Act takes effect immediately if it receives
3 a vote of two-thirds of all the members elected to each house, as
4 provided by Section 39, Article III, Texas Constitution. If this
5 Act does not receive the vote necessary for immediate effect, this
6 Act takes effect September 1, 2009.