

BILL ANALYSIS

Senate Research Center
82R2073 AJZ-D

S.B. 957
By: Birdwell
Health & Human Services
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The bill clarifies terminology regarding the Waco Center for Youth and Development of Family and Protective Services.

Youth who have been psychiatrically diagnosed as emotionally and/or behaviorally disturbed are eligible to be placed in the Waco Center for Youth as "admitted" to the center. The statute reads "committed" under Section 554.01 (Admission of Certain Juveniles), Health and Safety Code.

This bill will clean up language to address youths being admitted not committed so that youths are not labeled with a negative connotation. Additionally, this bill updates the name of the Department of Family and Protective Services.

As proposed, S.B. 957 amends current law relating to the clarification of terminology relating to the Waco Center for Youth.

[**Note:** While the statutory reference in this bill is to the Texas Department of Mental Health and Mental Retardation (TXMHMR), the following amendments affect the Department of State Health Services, as the successor agency to TXMHMR.]

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 554.001(a), Health and Safety Code, to require the Texas Department of Mental Health and Mental Retardation (TXMHMR) to use the Waco Center for Youth as a residential treatment facility for emotionally disturbed juveniles who have been admitted, rather than committed, under Subtitle C (Texas Mental Health Code) to a facility of TXMHMR, or are under the managing conservatorship of the Department of Family and Protective Services, rather than the Department of Protective and Regulatory Services, and have been admitted under Subtitle C to the Waco Center for Youth. Makes a conforming change.

SECTION 2. Provides that the change in law made by this Act to Section 554.001(a), Health and Safety Code, is a clarification of existing law and does not imply that the former law may be construed as inconsistent with the law as amended by this Act.

SECTION 3. Effective date: upon passage or September 1, 2011.