

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION**

**April 4, 2011**

**TO:** Honorable Richard Pena Raymond, Chair, House Committee on Human Services

**FROM:** John S O'Brien, Director, Legislative Budget Board

**IN RE: SB41** by Zaffirini (Relating to the use of restraints in state supported living centers.), **As Engrossed**

<b>No significant fiscal implication to the State is anticipated.</b>
---

The bill would require the Executive Commissioner of the Health and Human Services Commission (HHSC) to adopt rules limiting use of restraints in state supported living centers (SSLCs) and prohibit use of prone and supine holds except as transitional holds. The bill would prohibit issuance of a standing order to administer on an as-needed basis, a mechanical or physical restraint or injection of a psychoactive medication for a resident of a SSLC. The bill would prohibit use of a straightjacket to restrain a SSLC resident. The bill would require a SSLC to report to the Executive Commissioner each incident in which a physical or mechanical restraint is administered.

This analysis assumes the rulemaking at HHSC can be accomplished within existing resources. The Department of Aging and Disability Services indicates data collection, analysis, and reporting required by the bill could be accomplished within existing resources.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 539 Aging and Disability Services, Department of

**LBB Staff:** JOB, CL, JI, LL