

Amend **SB 213** on third reading as follows:

(1) In the SECTION of the bill that amends Section 501.131, Government Code (house committee printing, page 10, line 10), strike added Subdivision (1) and substitute the following:

(1) "Committee" [~~,"committee"~~] means the Correctional [~~Managed~~] Health Care Committee.

(2) Strike Subsections (a) and (b) of the SECTION of the bill that adds transition language pertaining to the appointment of members to the Correctional Managed Health Care Committee under amended Section 501.133(a), Government Code (house committee printing, page 34, lines 8-18), and substitute the following:

(a) Not later than January 31, 2014, the governor shall appoint to the Correctional Health Care Committee one member from each of the first two medical schools, so as to comply with the membership requirements of Section 501.133(a), Government Code, as amended by this Act, based on an alphabetical listing of the names of the medical schools.

(b) Not later than January 31, 2014, the governor shall appoint to the Correctional Health Care Committee two members who are licensed mental health professionals, so as to comply with the membership requirements of Section 501.133(a), Government Code, as added by this Act.

(3) Add the following appropriately numbered SECTIONS to the bill and renumber subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 15(i), Article 42.12, Code of Criminal Procedure, as added by Chapter 1308 (**SB 909**), Acts of the 80th Legislature, Regular Session, 2007, is amended to read as follows:

(i) If a defendant is convicted of a state jail felony and the sentence is executed, the judge sentencing the defendant may release the defendant to a medically suitable placement if the judge determines that the defendant does not constitute a threat to public safety and the Texas Correctional Office on Offenders with Medical or Mental Impairments:

(1) in coordination with the Correctional [~~Managed~~] Health Care Committee prepares a case summary and medical report that identifies the defendant as being elderly, physically

disabled, mentally ill, terminally ill, or mentally retarded or having a condition requiring long-term care; and

(2) in cooperation with the community supervision and corrections department serving the sentencing court, prepares for the defendant a medically recommended intensive supervision and continuity of care plan that:

(A) ensures appropriate supervision of the defendant by the community supervision and corrections department; and

(B) requires the defendant to remain under the care of a physician at and reside in a medically suitable placement.

SECTION _____. Section 501.132, Government Code, is amended to read as follows:

Sec. 501.132. APPLICATION OF SUNSET ACT. The Correctional ~~Managed~~ Health Care Committee is subject to review under Chapter 325 (Texas Sunset Act) regarding the committee's role and responsibilities. The committee shall be reviewed during the period in which the Texas Department of Criminal Justice is reviewed.

SECTION _____. Section 508.146(a), Government Code, is amended to read as follows:

(a) An inmate other than an inmate who is serving a sentence of death or life without parole may be released on medically recommended intensive supervision on a date designated by a parole panel described by Subsection (e), except that an inmate with an instant offense that is an offense described in Section 3g, Article 42.12, Code of Criminal Procedure, or an inmate who has a reportable conviction or adjudication under Chapter 62, Code of Criminal Procedure, may only be considered if a medical condition of terminal illness or long-term care has been diagnosed by a physician, if:

(1) the Texas Correctional Office on Offenders with Medical or Mental Impairments, in cooperation with the Correctional ~~Managed~~ Health Care Committee, identifies the inmate as being:

(A) elderly, physically disabled, mentally ill, terminally ill, or mentally retarded or having a condition requiring long-term care, if the inmate is an inmate with an instant

offense that is described in Section 3g, Article 42.12, Code of Criminal Procedure; or

(B) in a persistent vegetative state or being a person with an organic brain syndrome with significant to total mobility impairment, if the inmate is an inmate who has a reportable conviction or adjudication under Chapter 62, Code of Criminal Procedure;

(2) the parole panel determines that, based on the inmate's condition and a medical evaluation, the inmate does not constitute a threat to public safety; and

(3) the Texas Correctional Office on Offenders with Medical or Mental Impairments, in cooperation with the pardons and paroles division, has prepared for the inmate a medically recommended intensive supervision plan that requires the inmate to submit to electronic monitoring, places the inmate on super-intensive supervision, or otherwise ensures appropriate supervision of the inmate.

SECTION _____. Section 614.002(e), Health and Safety Code, is amended to read as follows:

(e) The executive head of each of the following agencies, divisions of agencies, or associations, or that person's designated representative, shall serve as a member of the committee:

(1) the correctional institutions division of the Texas Department of Criminal Justice;

(2) the Department of State Health Services;

(3) the parole division of the Texas Department of Criminal Justice;

(4) the community justice assistance division of the Texas Department of Criminal Justice;

(5) the Texas Juvenile Justice Department [~~Probation Commission~~];

(6) [~~the Texas Youth Commission,~~

~~(7)] the Department of Assistive and Rehabilitative Services;~~

(7) [~~(8)~~] the Correctional [~~Managed~~] Health Care Committee;

(8) [~~(9)~~] the Mental Health Association in Texas;

- (9) [~~(10)~~] the Board of Pardons and Paroles;
- (10) [~~(11)~~] the Commission on Law Enforcement Officer Standards and Education;
- (11) [~~(12)~~] the Texas Council of Community Mental Health and Mental Retardation Centers;
- (12) [~~(13)~~] the Commission on Jail Standards;
- (13) [~~(14)~~] the Texas Council for Developmental Disabilities;
- (14) [~~(15)~~] the Texas Association for Retarded Citizens;
- (15) [~~(16)~~] the National Alliance for the Mentally Ill of Texas;
- (16) [~~(17)~~] the Parent Association for the Retarded of Texas, Inc.;
- (17) [~~(18)~~] the Health and Human Services Commission;
- and
- (18) [~~(19)~~] the Department of Aging and Disability Services.

SECTION _____. Section 614.017(c)(1), Health and Safety Code, is amended to read as follows:

(1) "Agency" includes any of the following entities and individuals, a person with an agency relationship with one of the following entities or individuals, and a person who contracts with one or more of the following entities or individuals:

- (A) the Texas Department of Criminal Justice and the Correctional ~~Managed~~ Health Care Committee;
- (B) the Board of Pardons and Paroles;
- (C) the Department of State Health Services;
- (D) the Texas Juvenile Justice Department;
- (E) the Department of Assistive and Rehabilitative Services;
- (F) the Texas Education Agency;
- (G) the Commission on Jail Standards;
- (H) the Department of Aging and Disability Services;
- (I) the Texas School for the Blind and Visually Impaired;

(J) community supervision and corrections departments and local juvenile probation departments;

(K) personal bond pretrial release offices established under Article 17.42, Code of Criminal Procedure;

(L) local jails regulated by the Commission on Jail Standards;

(M) a municipal or county health department;

(N) a hospital district;

(O) a judge of this state with jurisdiction over juvenile or criminal cases;

(P) an attorney who is appointed or retained to represent a special needs offender or a juvenile with a mental impairment;

(Q) the Health and Human Services Commission;

(R) the Department of Information Resources;

(S) the bureau of identification and records of the Department of Public Safety, for the sole purpose of providing real-time, contemporaneous identification of individuals in the Department of State Health Services client data base; and

(T) the Department of Family and Protective Services.