

1-1 By: Raymond (Senate Sponsor - Zaffirini) H.B. No. 978
 1-2 (In the Senate - Received from the House April 22, 2013;
 1-3 April 24, 2013, read first time and referred to Committee on Health
 1-4 and Human Services; May 15, 2013, reported adversely, with
 1-5 favorable Committee Substitute by the following vote: Yeas 8,
 1-6 Nays 0; May 15, 2013, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14			X	
1-15	X			
1-16	X			
1-17	X			

1-18 COMMITTEE SUBSTITUTE FOR H.B. No. 978 By: Zaffirini

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to the transportation of certain patients to a mental
 1-22 health facility.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Sections 574.045(a) and (a-1), Health and Safety
 1-25 Code, are amended to read as follows:

1-26 (a) The court may authorize, in the following order of
 1-27 priority, the transportation of a committed patient or a patient
 1-28 detained under Section 573.022 or 574.023 to the designated mental
 1-29 health facility by:

1-30 (1) a special officer for mental health assignment
 1-31 certified under Section 1701.404, Occupations Code;

1-32 (2) the facility administrator of the designated
 1-33 mental health facility, unless the administrator notifies the court
 1-34 that facility personnel are not available to transport the patient;

1-35 (3) ~~[a relative or other responsible person who has a
 1-36 proper interest in the patient's welfare and who receives no
 1-37 remuneration, except for actual and necessary expenses;~~

1-38 ~~[(4)]~~ a representative of the local mental health
 1-39 authority, who shall be reimbursed by the county, unless the
 1-40 representative notifies the court that local mental health
 1-41 authority personnel are not qualified to ensure the safety of the
 1-42 patient during transport;

1-43 (4) ~~[(5)]~~ a qualified transportation service provider
 1-44 selected from the list established and maintained as required by
 1-45 Section 574.0455 by the commissioners court of the county in which
 1-46 the court authorizing the transportation is located; ~~[or]~~

1-47 (5) ~~[(6)]~~ the sheriff or constable; or

1-48 (6) a relative or other responsible person who has a
 1-49 proper interest in the patient's welfare and who receives no
 1-50 remuneration, except for actual and necessary expenses.

1-51 (a-1) A person who under Subsection (a)(1), (2), or (5)
 1-52 ~~[(6)]~~ is authorized by the court to transport a person to a mental
 1-53 health facility may contract with a qualified transportation
 1-54 service provider that is included on the list established and
 1-55 maintained as required by Section 574.0455 by the commissioners
 1-56 court of the county in which the court is located to provide the
 1-57 transportation authorized by the court.

1-58 SECTION 2. Subchapter D, Chapter 574, Health and Safety
 1-59 Code, is amended by adding Section 574.0456 to read as follows:

1-60 Sec. 574.0456. TRANSPORTATION OF PATIENT TO ANOTHER

2-1 STATE. A person may not transport a patient to a mental health
2-2 facility in another state for court-ordered inpatient mental health
2-3 services under this chapter unless transportation to that facility
2-4 is authorized by a court order.

2-5 SECTION 3. This Act takes effect September 1, 2013.

2-6 * * * * *