

By: McClendon, Rose, Naishtat, et al.

H.B. No. 2401

Substitute the following for H.B. No. 2401:

By: Naishtat

C.S.H.B. No. 2401

A BILL TO BE ENTITLED

1

AN ACT

2 relating to the provision of community-based services to
3 individuals who have or may have mental illness.

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

5 SECTION 1. Section 534.053, Health and Safety Code, is
6 amended by amending Subsection (a) and adding Subsection (d) to
7 read as follows:

8 (a) The department shall ensure that, at a minimum, the
9 following services are available in each service area:

10 (1) 24-hour emergency screening and rapid crisis
11 stabilization services;

12 (2) community-based crisis residential services or
13 hospitalization;

14 (3) community-based assessments, including the
15 development of interdisciplinary treatment plans and diagnosis and
16 evaluation services;

17 (4) family support services, including respite care;

18 (5) case management services;

19 (6) medication-related services, including medication
20 clinics, laboratory monitoring, medication education, mental
21 health maintenance education, and the provision of medication;
22 [~~and~~]

23 (7) psychosocial rehabilitation programs, including
24 social support activities, independent living skills, and

1 vocational training; and

2 (8) community-based alternatives to inpatient
3 hospitalization.

4 (d) Notwithstanding any other law, the department shall
5 ensure the availability of appropriate and timely services designed
6 to meet acute mental health placement needs of patients in order to
7 reduce a patient's acute symptoms of mental illness and to prevent a
8 patient's admission to an inpatient mental health facility, as
9 defined by Section 571.003. The available services must include at
10 least one of the following:

11 (1) crisis stabilization services;

12 (2) short-term residential treatment, respite care,
13 or extended observation services; and

14 (3) medical and nursing services to address the
15 patient's mental health condition or presenting symptoms.

16 SECTION 2. Subchapter B, Chapter 534, Health and Safety
17 Code, is amended by adding Section 534.0531 to read as follows:

18 Sec. 534.0531. FUNDING FOR COMMUNITY-BASED SERVICES. The
19 department shall provide funding for the cost of ensuring the
20 availability in each service area of community-based alternatives
21 to inpatient hospitalization to the extent those costs are not paid
22 from the delivery system reform incentive payments received under
23 the Texas Health Care Transformation and Quality Improvement
24 Program 1115 waiver.

25 SECTION 3. Section 534.054, Health and Safety Code, is
26 amended by adding Subsection (b) to read as follows:

27 (b) The department shall contract with a local mental health

1 authority to provide programs designed to make community-based
2 alternatives accessible and available in order to avert or mitigate
3 the need for inpatient hospitalization.

4 SECTION 4. If before implementing any provision of this Act
5 a state agency determines that a waiver or authorization from a
6 federal agency is necessary for implementation of that provision,
7 the agency affected by the provision shall request the waiver or
8 authorization and may delay implementing that provision until the
9 waiver or authorization is granted.

10 SECTION 5. This Act takes effect September 1, 2013.