

By: McClendon

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) The department shall ensure the availability of
5 services designed to reduce a patient's acute symptoms of mental
6 illness and any other services necessary to prevent a patient's
7 admission to an inpatient mental health facility, as defined by
8 Section 571.003. The available services must include:

9 (1) crisis stabilization services;

10 (2) short-term residential treatment; and

11 (3) medical and nursing services.

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

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

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

23 (b) The department shall contract with a local mental health
24 authority to provide programs to provide community-based
25 alternatives to inpatient hospitalization. Notwithstanding
26 Section 533.0358 and subject to Subsection (c), the contract must
27 require the local mental health authority to operate the programs

1 to provide those alternatives.

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

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