

By: Huffman

S.B. No. 1185

A BILL TO BE ENTITLED

AN ACT

relating to the creation of a mental health jail diversion pilot program.

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

SECTION 1. Subtitle C, Title 7, Health and Safety Code, is amended by adding Chapter 579 to read as follows:

CHAPTER 579. MENTAL HEALTH JAIL DIVERSION PILOT PROGRAM; HARRIS COUNTY

Sec. 579.001. DEFINITIONS. In this chapter:

(1) "Commissioner" means the commissioner of the department.

(2) "Department" means the Department of State Health Services.

Sec. 579.002. MENTAL HEALTH JAIL DIVERSION PILOT PROGRAM.

The department shall establish and operate a pilot program in Harris County for the purpose of reducing jail recidivism among persons with mental illness in that county.

Sec. 579.003. CRIMINAL JUSTICE MENTAL HEALTH SERVICE MODEL.

The department shall design and test through the pilot program a new criminal justice mental health service model. The department may develop and test innovative solutions to problems that arise during the operation of the pilot program and redesign the model as the department acquires more information. The model initially must apply the critical time intervention principle described by Section

1 579.004 and must include the following elements:

- 2 (1) low caseload management;
- 3 (2) multilevel residential services; and
- 4 (3) easy access to:
 - 5 (A) integrated health, mental health, and
 - 6 chemical dependency services;
 - 7 (B) benefits acquisition services; and
 - 8 (C) multiple rehabilitation services.

9 Sec. 579.004. CRITICAL TIME INTERVENTION. The pilot
10 program, in applying the critical time intervention principle, must
11 give persons with mental illness access to available social,
12 clinical, housing, and welfare services during the first weeks
13 after the person's release from jail.

14 Sec. 579.005. LOCAL SERVICES COORDINATION. In designing
15 the criminal justice mental health service model the department
16 shall seek input from and coordinate the provision of services with
17 the following local entities:

- 18 (1) the mental health division of the office of the
- 19 district attorney of Harris County;
- 20 (2) the Harris County public defender;
- 21 (3) mental health courts;
- 22 (4) specially trained law enforcement crisis
- 23 intervention teams and crisis intervention response teams;
- 24 (5) providers of competency restoration services;
- 25 (6) providers of guardianship services;
- 26 (7) providers of forensic case management;
- 27 (8) providers of assertive community treatment;

1 (9) providers of crisis stabilization services;

2 (10) providers of intensive and general supportive
3 housing; and

4 (11) providers of integrated mental health and
5 substance abuse inpatient, outpatient, and rehabilitation services.

6 Sec. 579.006. PROGRAM CAPACITY. (a) In establishing the
7 pilot program, the department shall ensure the program has the
8 resources to provide mental health jail diversion services to not
9 fewer than 200 individuals.

10 (b) The department shall endeavor to serve each year the
11 program operates not fewer than 500 or more than 600 individuals
12 cumulatively.

13 Sec. 579.007. FINANCING THE PROGRAM. (a) The creation of
14 the pilot program under this chapter is contingent on the
15 continuing agreement of the Commissioners Court of Harris County to
16 contribute \$32,650,000 to the funding of the program each year in
17 which the program operates.

18 (b) It is the intent of the legislature that appropriations
19 made to fund the pilot program are made in addition to and will not
20 reduce the amount of appropriations made in the regular funding of
21 the Mental Health and Mental Retardation Authority of Harris County
22 or the Harris County Psychiatric Center.

23 Sec. 579.008. REPORT. (a) Not later than December 1, 2016,
24 the commissioner shall submit a report concerning the pilot program
25 to the presiding officers of the standing committees of the senate
26 and house of representatives having primary jurisdiction over
27 health and human services issues and over criminal justice issues.

1 (b) The report must include a description of the features of
2 the criminal justice mental health service model developed and
3 tested under the pilot program and the commissioner's
4 recommendation whether to expand use of the model statewide.

5 Sec. 579.009. CONCLUSION; EXPIRATION. The pilot program
6 established under this chapter concludes and this chapter expires
7 September 1, 2017.

8 SECTION 2. This Act takes effect immediately if it receives
9 a vote of two-thirds of all the members elected to each house, as
10 provided by Section 39, Article III, Texas Constitution. If this
11 Act does not receive the vote necessary for immediate effect, this
12 Act takes effect September 1, 2013.