

By: Zaffirini

S.B. No. 1595

A BILL TO BE ENTITLED

AN ACT

relating to the nature of delivery of services to a person with mental illness.

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

SECTION 1. Section 571.002, Health and Safety Code, is amended to read as follows:

Sec. 571.002. PURPOSE. The purpose of this subtitle is to provide to each person having severe mental illness access to humane care and treatment by:

(1) facilitating treatment in an appropriate setting;
(2) enabling the person to obtain necessary evaluation, care, treatment, and rehabilitation with the least possible trouble, expense, and embarrassment to the person and the person's family;

(3) eliminating, if requested, the traumatic effect on the person's mental health of public trial and criminal-like procedures;

(4) protecting the person's right to a judicial determination of the person's need for involuntary treatment;

(5) defining the criteria the state must meet to order involuntary care and treatment;

(6) establishing the procedures to obtain facts, carry out examinations, and make prompt and fair decisions;

(7) safeguarding the person's legal rights so as to

1 advance and not impede the therapeutic and protective purposes of
2 involuntary care; ~~and~~

3 (8) safeguarding the rights of the person who
4 voluntarily requests inpatient care;

5 (9) providing the person's treatment in the least
6 restrictive fashion;

7 (10) treating the person as a voluntary patient when
8 possible, including after commitment to involuntary mental health
9 services if the person requests voluntary services; and

10 (11) using involuntary interventions only as a last
11 resort and when necessary to protect the health and safety of the
12 person needing treatment or the safety of others, including
13 treatment providers.

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