

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION**

**March 19, 2013**

**TO:** Honorable Lois W. Kolkhorst, Chair, House Committee On Public Health

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB1739** by Naishtat (Relating to the administration of psychoactive medications to persons receiving services in certain facilities.), **As Introduced**

**No significant fiscal implication to the State is anticipated.**

The bill would amend Chapter 592 of the Health and Safety Code to include the right of an individual with intellectual disabilities under the Persons with Mental Retardation Act to refuse psychoactive medication and to require consent for the administration of psychoactive medications. The bill would prohibit a person from administering a psychoactive medication to clients receiving voluntary or involuntary residential care services who refuse the administration, except in certain circumstances. The bill would provide requirements for obtaining consent and for overriding a client's refusal. The bill would provide for client hearings and appeals for psychoactive medication orders.

The Department of Aging and Disability Services and Department of State Health Services anticipate any cost to implement provisions of this bill could be absorbed within available resources. The Office of Court Administration anticipates no significant fiscal impact to the state court system.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 212 Office of Court Administration, Texas Judicial Council, 537 State Health Services, Department of, 539 Aging and Disability Services, Department of

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