

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

May 16, 2013

TO: Honorable Jane Nelson, Chair, Senate Committee on Health & Human Services

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: **HB1947** by Burkett (Relating to the criteria for commitment or detention of a person with mental illness.), **Committee Report 2nd House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend Chapters 571, 573 and 574 of the Health and Safety Code relating to the criteria for commitment of a person with mental illness. The bill would add the definition of gravely disabled to the list of criteria for a judge to use when committing a proposed patient to receive court-ordered inpatient mental health services and to the list of criteria when a peace officer may without a warrant take a person into custody. Under the provisions of the bill, mental health facilities, hospitals and emergency rooms licensed under Chapter 241, and freestanding medical care facilities licensed under Chapter 254 would be allowed to temporarily detain a person who expresses a desire to leave that facility or attempts to leave before receiving a psychiatric examination or treatment under specific conditions. The bill would authorize a peace officer to take a person who has been admitted to a facility into custody in certain circumstances. While the peace officer's or judge's determination of gravely disabled may have an impact on the state hospitals, it is assumed that the provisions of the bill can be implemented within existing resources at the Department of State Health Services and the Office of Court Administration.

Local Government Impact

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

Source Agencies: 537 State Health Services, Department of, 212 Office of Court Administration, Texas Judicial Council

LBB Staff: UP, CH, KKR, CL, VJC, NB