

SENATE AMENDMENTS

2nd Printing

By: Raymond

H.B. No. 978

A BILL TO BE ENTITLED

AN ACT

relating to the transportation of certain patients to a mental health facility.

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

SECTION 1. Sections 574.045(a) and (a-1), Health and Safety Code, are amended to read as follows:

(a) The court may authorize, in the following order of priority, the transportation of a committed patient or a patient detained under Section 573.022 or 574.023 to the designated mental health facility by:

(1) a special officer for mental health assignment certified under Section 1701.404, Occupations Code;

(2) the facility administrator of the designated mental health facility, unless the administrator notifies the court that facility personnel are not available to transport the patient;

~~(3) [a relative or other responsible person who has a proper interest in the patient's welfare and who receives no remuneration, except for actual and necessary expenses,~~

~~(4)]~~ a representative of the local mental health authority, who shall be reimbursed by the county, unless the representative notifies the court that local mental health authority personnel are not qualified to ensure the safety of the patient during transport;

(4) ~~(5)]~~ a qualified transportation service provider

1 selected from the list established and maintained as required by
2 Section 574.0455 by the commissioners court of the county in which
3 the court authorizing the transportation is located; ~~or~~

4 (5) ~~[(6)]~~ the sheriff or constable; or

5 (6) a relative or other responsible person who has a
6 proper interest in the patient's welfare and who receives no
7 remuneration, except for actual and necessary expenses.

8 (a-1) A person who under Subsection (a)(1), (2), or (5)
9 ~~[(6)]~~ is authorized by the court to transport a person to a mental
10 health facility may contract with a qualified transportation
11 service provider that is included on the list established and
12 maintained as required by Section 574.0455 by the commissioners
13 court of the county in which the court is located to provide the
14 transportation authorized by the court.

15 SECTION 2. This Act takes effect September 1, 2013.

ADOPTED

MAY 17 2013

Atty Gen
Secretary of the Senate

By: RAYMOND / ZAFFRINI

H.B. No. 978

Substitute the following for H.B. No. 978:

By: Zaffrini

C.S.H.B. No. 978

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8 priority, the transportation of a committed patient or a patient
9 detained under Section 573.022 or 574.023 to the designated mental
10 health facility by:

11 (1) a special officer for mental health assignment
12 certified under Section 1701.404, Occupations Code;

13 (2) the facility administrator of the designated
14 mental health facility, unless the administrator notifies the court
15 that facility personnel are not available to transport the patient;

16 (3) ~~[a relative or other responsible person who has a
17 proper interest in the patient's welfare and who receives no
18 remuneration, except for actual and necessary expenses,~~

19 [(4)] a representative of the local mental health
20 authority, who shall be reimbursed by the county, unless the
21 representative notifies the court that local mental health
22 authority personnel are not qualified to ensure the safety of the
23 patient during transport;

24 (4) [(5)] a qualified transportation service provider

1 selected from the list established and maintained as required by
2 Section 574.0455 by the commissioners court of the county in which
3 the court authorizing the transportation is located; ~~or~~

4 (5) [~~6~~] the sheriff or constable; or

5 (6) a relative or other responsible person who has a
6 proper interest in the patient's welfare and who receives no
7 remuneration, except for actual and necessary expenses.

8 (a-1) A person who under Subsection (a)(1), (2), or (5)
9 [~~6~~] is authorized by the court to transport a person to a mental
10 health facility may contract with a qualified transportation
11 service provider that is included on the list established and
12 maintained as required by Section 574.0455 by the commissioners
13 court of the county in which the court is located to provide the
14 transportation authorized by the court.

15 SECTION 2. Subchapter D, Chapter 574, Health and Safety
16 Code, is amended by adding Section 574.0456 to read as follows:

17 Sec. 574.0456. TRANSPORTATION OF PATIENT TO ANOTHER
18 STATE. A person may not transport a patient to a mental health
19 facility in another state for court-ordered inpatient mental health
20 services under this chapter unless transportation to that facility
21 is authorized by a court order.

22 SECTION 3. This Act takes effect September 1, 2013.

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

May 18, 2013

TO: Honorable Joe Straus, Speaker of the House, House of Representatives

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB978 by Raymond (Relating to the transportation of certain patients to a mental health facility.), **As Passed 2nd House**

No significant fiscal implication to the State is anticipated.

The bill would amend the Health and Safety Code relating to prioritization of persons authorized to transport a committed or detained patient to a mental health facility.

The Office of Court Administration reported no significant fiscal impact is anticipated.

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

LBB Staff: UP, SD, CL, TP

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

May 15, 2013

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

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB978 by Raymond (Relating to the transportation of certain patients to a mental health facility.), **Committee Report 2nd House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend the Health and Safety Code relating to prioritization of persons authorized to transport a committed or detained patient to a mental health facility.

The Office of Court Administration reported no significant fiscal impact is anticipated.

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

LBB Staff: UP, CL, TP

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

May 10, 2013

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

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB978 by Raymond (Relating to the transportation of certain patients to a mental health facility.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would amend the Health and Safety Code relating to prioritization of persons authorized to transport a committed or detained patient to a mental health facility.

The Office of Court Administration reported no significant fiscal impact is anticipated.

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

LBB Staff: UP, CL, TP

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

March 4, 2013

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

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB978 by Raymond (Relating to the transportation of certain patients to a mental health facility.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Health and Safety Code to remove a relative or other responsible person from being allowed to transport a committed or detained patient to a mental health facility.

The Office of Court Administration reported no significant fiscal impact is anticipated.

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

LBB Staff: UP, CL, TP