

House Bill 978
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

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

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

(6) 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.

(a-1) A person who under Subsection (a)(1), (2), or ~~(5) [(6)]~~ is authorized by the court to transport a person to a mental health facility may contract with a qualified transportation service provider that is included on the list established and maintained as required by Section 574.0455 by the

SENATE VERSION (CS)

SECTION 1. Same as House version.

CONFERENCE

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commissioners court of the county in which the court is located to provide the transportation authorized by the court.

No equivalent provision.

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

SENATE VERSION (CS)

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

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

SECTION 3. Same as House version.

CONFERENCE