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| BILL ANALYSIS |

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| H.B. 1616 |
| By: Thompson, Senfronia |
| Public Health |
| Committee Report (Unamended) |

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| **BACKGROUND AND PURPOSE** Interested parties express concern regarding the lack of protection from liability for a mental health provider who reports what the provider believes to be a probability of imminent physical injury by a patient to the patient or others or an immediate mental or emotional injury to the patient. H.B 1616 seeks to provide such civil liability protection. |
| **CRIMINAL JUSTICE IMPACT**It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision. |
| **RULEMAKING AUTHORITY** It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution. |
| **ANALYSIS** H.B. 1616 amends the Health and Safety Code to include mental health personnel among the individuals authorized to disclose confidential mental health records information if the professional determines that there is a probability of imminent physical injury by the patient to the patient or others or that there is a probability of immediate mental or emotional injury to the patient. The bill specifies that the authorization to make such a disclosure applies to a determination made in good faith. The bill grants immunity from civil liability in an action brought against a person for disclosing confidential information certain health professionals who in good faith make such a disclosure to medical, mental health, or law enforcement personnel.  |
| **EFFECTIVE DATE** September 1, 2017. |