86R6241 JG-D

By:  Murr H.B. No. 4119

A BILL TO BE ENTITLED

AN ACT

relating to the administration of psychoactive medication to certain persons in the custody of a crisis stabilization unit.

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

SECTION 1.  Subchapter B, Chapter 574, Health and Safety Code, is amended by adding Section 574.029 to read as follows:

Sec. 574.029.  ADMINISTRATION OF PSYCHOACTIVE MEDICATION TO CERTAIN PERSONS IN CUSTODY OF CRISIS STABILIZATION UNIT. (a) In this section:

(1)  "Medication-related emergency" and "psychoactive medication" have the meanings assigned by Section 574.101.

(2)  "Ward" has the meaning assigned by Section 1002.030, Estates Code.

(b)  If a person for whom a motion for court-ordered inpatient mental health services is granted remains in the custody of a crisis stabilization unit, as defined by rule by the executive commissioner, following the expiration of a protective custody order due to a lack of space at a mental hospital, the crisis stabilization unit may administer a psychoactive medication to the person only if the person refuses to take the medication and:

(1)  the person is having a medication-related emergency;

(2)  the person is under an order issued under Section 574.106 authorizing the administration of the medication regardless of the person's refusal; or

(3)  the person is a ward who is 18 years of age or older and the guardian of the person of the ward consents to the administration of psychoactive medication regardless of the ward's expressed preferences regarding treatment with psychoactive medication.

SECTION 2.  Section 574.029, Health and Safety Code, as added by this Act, applies only to a person for whom a motion for court-ordered inpatient mental health services is granted on or after the effective date of this Act.

SECTION 3.  This Act takes effect September 1, 2019.