

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

1 regardless of the person's refusal; or

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

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

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