

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

May 21, 2019

TO: Honorable Dan Patrick, Lieutenant Governor, Senate

FROM: John McGeady, Assistant Director Sarah Keyton, Assistant Director
Legislative Budget Board

IN RE: **SB1238** by Johnson (Relating to the admission, examination, and discharge of a person for voluntary mental health services.), **As Passed 2nd House**

<p>No significant fiscal implication to the State is anticipated.</p>
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The bill would amend Chapter 572 of the Health and Safety Code to require a prospective voluntary patient at an inpatient mental health facility to have received a physical and a psychiatric examination from a physician within 72 hours before the admission or 24 hours after admission. If the examination occurs after the admission, the physician must discharge a person who does not meet clinical standards to receive inpatient care.

The bill would amend the Family Code to provide a procedure a grandparent, adult sibling, or an adult aunt or uncle of a child who has care, custody, and control of the child in the preceding six months could file a petition in district court seeking a court order for temporary authorization to consent to voluntary inpatient mental health services for a child.

Based on the analysis of the Office of Court Administration, the Health and Human Services Commission, and the Department of Family and Protective Services, duties and responsibilities associated with implementing the provisions of the bill could be accomplished using existing resources.

The bill would take effect September 1, 2019.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 529 Health and Human Services Commission, 530 Family and Protective Services, Department of

LBB Staff: WP, AKi, JQ, MNa