

By: Campos

H.B. No. 4133

A BILL TO BE ENTITLED

AN ACT

relating to the creation of a mental health jail diversion pilot program in Bexar County.

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

SECTION 1. Subtitle C, Title 7, Health and Safety Code, is amended by adding Chapter 580 to read as follows:

CHAPTER 580. MENTAL HEALTH JAIL DIVERSION PILOT PROGRAM; BEXAR COUNTY

Sec. 580.001. DEFINITION. In this chapter, "commission" means the Health and Human Services Commission.

Sec. 580.002. MENTAL HEALTH JAIL DIVERSION PILOT PROGRAM. The commission, in cooperation with the local mental health authority that serves Bexar County, shall establish a pilot program in Bexar County for the purpose of reducing recidivism and the frequency of arrests and incarceration among persons with mental illness in that county.

Sec. 580.003. CRIMINAL JUSTICE MENTAL HEALTH SERVICE MODEL. The commission shall design and test through the pilot program a criminal justice mental health service model oriented toward facilitating treatment for persons with mental illness and substance use disorders to reduce recidivism and frequency of arrests and incarceration of persons with mental illness in Bexar County. The pilot program must include evidence-based practices, including:

- 1 (1) psychiatric services;
- 2 (2) substance use disorder treatments;
- 3 (3) treatment for co-occurring mental health and
4 substance use disorders;
- 5 (4) integrated primary care, mental health, and
6 chemical dependency services;
- 7 (5) motivational interviews to decrease recidivism;
- 8 (6) methods to maintain sobriety;
- 9 (7) medical detoxification services;
- 10 (8) intensive case management to address social
11 determinants of health;
- 12 (9) local mental health authority hospital liaison
13 transitional services, including case management;
- 14 (10) medication-assisted treatment; and
- 15 (11) treatment of medical issues, including through
16 inpatient hospitalization if necessary.

17 Sec. 580.004. PROGRAM EVALUATION. (a) The commission
18 shall evaluate the pilot program's success in providing the
19 evidence-based practices described by Section 580.003 to an
20 individual receiving treatment for incarceration diversion for a
21 period of 60 to 90 days.

22 (b) The commission shall establish clear criteria for
23 identifying a target population to be served by the pilot program.
24 The criteria must prioritize serving a target population composed
25 of members with the highest risk of recidivism and either a severe
26 mental illness, substance use disorder, or co-occurring mental
27 illness and substance use disorder.

1 Sec. 580.005. REPORT. (a) Not later than August 1, 2022,
2 the executive commissioner shall:

3 (1) evaluate and produce a report concerning the
4 effect that providing inpatient evaluation for periods of 60 to 90
5 days has in reducing recidivism and the frequency of arrests and
6 incarceration among persons with mental illness in Bexar County;
7 and

8 (2) submit the report described by Subdivision (1) to
9 the governor, the lieutenant governor, the speaker of the house of
10 representatives, and the presiding officers of the standing
11 committees of the senate and house of representatives having
12 primary jurisdiction over health and human services issues and over
13 criminal justice issues.

14 (b) The report must include a detailed analysis of the
15 features of the criminal justice mental health service model
16 developed and tested under the pilot program, the effect that
17 providing inpatient evaluation for periods of 60 to 90 days has in
18 reducing recidivism and the frequency of arrests and incarceration
19 among persons with mental illness in Bexar County, and the
20 executive commissioner's recommendation on whether to expand use of
21 the model statewide.

22 Sec. 580.006. CONCLUSION; EXPIRATION. The pilot program
23 established under this chapter concludes and this chapter expires
24 September 1, 2023.

25 SECTION 2. This Act takes effect September 1, 2021.