

By: Eckhardt

S.B. No. 1346

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the office of forensic services within the Department of State Health Services.

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

SECTION 1. Subtitle A, Title 7, Health and Safety Code, is amended by adding Chapter 535 to read as follows:

CHAPTER 535. OFFICE OF FORENSIC SERVICES

Sec. 535.001. DEFINITIONS. In this chapter:

(1) "Forensic patient" and "forensic services" have the meanings assigned by Section 532.013.

(2) "Office" means the office of forensic services established within the department under this chapter.

Sec. 535.002. ESTABLISHMENT; PURPOSE. (a) The office is established as an office within the department.

(b) The office is created to ensure a strategic statewide approach to the provision of forensic services. The office shall have input into policy, service delivery, funding, and commission or department rulemaking regarding the provision of forensic services to ensure a comprehensive, integrated, and strategic systems-level approach to forensic services.

(c) The forensic director appointed under Section 532.013 shall oversee the office.

Sec. 535.003. POWERS AND DUTIES. (a) The office shall:

(1) coordinate and streamline internal commission

1 processes and forensic services by:

2 (A) monitoring and providing oversight to the
3 processes;

4 (B) providing clinical leadership; and

5 (C) collecting data related to forensic services
6 to improve the provision of those services;

7 (2) develop a statewide strategic forensic plan as an
8 addendum to the statewide behavioral health strategic plan to
9 address the needs of forensic patients;

10 (3) develop best practices for inpatient policies and
11 procedures relating to the provision of forensic services;

12 (4) review and consult on all commission contracts
13 related to the provision of forensic services, diversion efforts,
14 and crisis services;

15 (5) review and consult on all commission contracts for
16 outpatient and jail-based competency restoration programs;

17 (6) examine local initiatives related to the provision
18 of forensic services;

19 (7) evaluate the success of local initiatives
20 described by Subdivision (6) and, based on that evaluation, develop
21 and implement a plan to expand successful local initiatives to
22 other areas in this state, including scaling those initiatives for
23 use in state facilities licensed under Subtitle B and by other
24 forensic services providers;

25 (8) develop special initiatives at the local, state,
26 and federal level;

27 (9) provide support to the department's Joint

1 Committee on Access and Forensic Services in the development of
2 policy and legislative proposals for the improvement of forensic
3 services in this state;

4 (10) provide training and technical assistance to:

5 (A) local mental health authorities;

6 (B) local behavioral health authorities
7 designated under Section 533.0356;

8 (C) staff members of courts with jurisdiction
9 over forensic patients;

10 (D) county jails; and

11 (E) law enforcement officers;

12 (11) direct and coordinate data analysis to:

13 (A) improve the efficiency of forensic service
14 commission programs; and

15 (B) evaluate forensic services programs in this
16 state;

17 (12) develop and maintain a comprehensive statewide
18 registry of forensic hospital bed availability and competency
19 restoration services;

20 (13) develop a coordinated statewide system of
21 forensic service information and technical assistance;

22 (14) identify strategies to maximize competency
23 restoration programs across this state; and

24 (15) develop and implement strategies to address the
25 increasing demands on the forensic system.

26 (b) As part of the office's duties, the office must collect
27 and analyze data regarding:

1 (1) patient outcomes from behavioral health services
2 and programs for individuals with intellectual and developmental
3 disabilities, including data from:

4 (A) the grant program established under Section
5 531.0993, Government Code;

6 (B) outpatient competency restoration service
7 providers;

8 (C) jail-based competency restoration providers;
9 and

10 (D) the Harris County Mental Health Jail
11 Diversion Program;

12 (2) the length of time it takes an individual to
13 receive inpatient competency restoration services;

14 (3) the length of time it takes an individual to
15 receive forensic services; and

16 (4) the means by which forensic patients and
17 justice-involved individuals are receiving forensic services.

18 SECTION 2. Not later than December 1, 2021, the
19 commissioner of state health services shall establish the office of
20 forensic services within the Department of State Health Services as
21 required by Chapter 535, Health and Safety Code, as added by this
22 Act.

23 SECTION 3. This Act takes effect September 1, 2021.