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
processes and forensic services by:

(A) monitoring and providing oversight to the processes;
(B) providing clinical leadership; and
(C) collecting data related to forensic services to improve the provision of those services;

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

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

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

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

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

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

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

(9) provide support to the department’s Joint
Committee on Access and Forensic Services in the development of policy and legislative proposals for the improvement of forensic services in this state;

(10) provide training and technical assistance to:

(A) local mental health authorities;

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

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

(D) county jails; and

(E) law enforcement officers;

(11) direct and coordinate data analysis to:

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

(B) evaluate forensic services programs in this state;

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

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

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

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

(b) As part of the office's duties, the office must collect and analyze data regarding:
(1) patient outcomes from behavioral health services and programs for individuals with intellectual and developmental disabilities, including data from:

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

(B) outpatient competency restoration service providers;

(C) jail-based competency restoration providers; and

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

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

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

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

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

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