88R7757 MPF-D

By:  Gervin-Hawkins H.B. No. 2149

A BILL TO BE ENTITLED

AN ACT

relating to notice of rights provided to a patient receiving involuntary inpatient mental health services.

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

SECTION 1.  Section 576.009, Health and Safety Code, is amended to read as follows:

Sec. 576.009.  NOTIFICATION OF RIGHTS. (a) A patient receiving involuntary inpatient mental health services shall be informed of the rights provided by this subtitle:

(1)  through a poster prominently and conspicuously displayed in an area frequented by both patients and employees of the mental health facility; and

(2)  either:

(A)  orally, in simple, nontechnical terms, and in writing that[~~, if possible,~~] is in the person's primary language; or

(B) [~~(2)~~]  through the use of a means reasonably calculated to communicate with a hearing impaired or visually impaired person, if applicable.

(b)  The poster described by Subsection (a)(1) must:

(1)  include the name and contact information of the person with whom a complaint regarding a violation of the rights provided by this subtitle may be filed; and

(2)  be in English and in a second language appropriate to the demographic composition of the community served by the mental health facility.

(c)  The oral and written communication required by Subsection (a)(2)(A) must be provided on two separate days as follows:

(1)  if English is the patient's primary language:

(A)  at the time the patient is admitted to the mental health facility; and

(B)  not later than the third day after the date the patient is admitted to the mental health facility; or

(2)  if English is not the patient's primary language:

(A)  not later than 24 hours after the patient is admitted to the mental health facility; and

(B)  not later than the third day after the date the patient is admitted to the mental health facility.

SECTION 2.  The changes in law made by this Act apply only to a patient's admittance to an inpatient mental health facility on or after the effective date of this Act. A patient's admittance to an inpatient mental health facility before the effective date of this Act is governed by the law in effect on the date the patient was admitted, and the former law is continued in effect for that purpose.

SECTION 3.  This Act takes effect September 1, 2023.