

BILL ANALYSIS

Senate Research Center
89R6312 RAL-F

S.B. 719
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Health & Human Services
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The Texas state mental healthcare system is overstrained and over-capacity. The average number of patients using inpatient beds at mental health facilities has increased almost 12 percent between 2023 and 2024. This population includes patients who are adolescents, voluntarily committed, in a maximum security unit, or considered incompetent to stand trial. Currently, there is no official state estimate of future bed needs. In 2023, over 60 percent of adults treated inside state hospitals came from the criminal justice system, either from county jails or the prison system.

The competency restoration waitlist for individuals determined incompetent to stand trial spans from several months to over a year, often averaging over 100 days. That waitlist sat at 1,790 needed beds in 2024, but the peak occurred in 2023 at over 2,500. In effect, individuals wait in jail for months with no sense of when a bed will be available—a precondition to their trial and sentencing. Untreated mental health conditions place them at an increased risk of death, for example, by refusing food and medication, with at least 30 individuals dying on this waitlist.

This unavailability of acute psychiatric treatment means Texans cannot access care they are legally entitled to, endangering public health and leading to increased medical and criminal justice expenses. To combat this crisis, S.B. 719 enables facilities to assess projected demand.

This bill, which passed the Senate in the 88th regular session, directs HHSC to conduct a study regarding the current supply and future need for acute inpatient psychiatric treatment beds in inpatient mental health facilities, with the ability to collaborate with academic institutions. The study must evaluate the current number of beds available to individuals experiencing an acute mental health crisis as well as the current number of patients in inpatient mental facilities broken down by category including:

- Competency restoration;
- Civil commitment;
- Juvenile and adult beds; and
- Intellectual and developmental disability status.

The study will evaluate projected need over the next several years for additional psychiatric beds in the listed categories, including an estimation of the proportion of patients who will require long-term care and workforce capacity needs. HHSC will submit a report to the legislature with the results of the study and legislative recommendations.

As proposed, S.B. 719 amends current law relating to a study regarding available beds at inpatient mental health facilities providing acute psychiatric treatment.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Defines "commission."

(b) Requires the Health and Human Services Commission (HHSC) to conduct a study regarding the availability of beds at inpatient mental health facilities in this state that provide acute inpatient psychiatric treatment. Requires that the study evaluate:

(1) the current number of psychiatric beds available at inpatient mental health facilities in this state that provide inpatient psychiatric treatment to individuals experiencing an acute mental health crisis, including a breakdown of beds available for certain groups of patients;

(2) the current number of patients admitted to an inpatient mental health facility in this state that provides inpatient psychiatric treatment to individuals experiencing an acute mental health crisis, including a breakdown of certain numbers and percentages of patients in certain groups;

(3) the projected need over the next several years for additional psychiatric beds at inpatient mental health facilities that provide inpatient psychiatric treatment to individuals experiencing an acute mental health crisis, including the projected percentage of incoming patients who will likely require long-term mental health treatment in a facility; and

(4) current and anticipated resources, including workforce needs, necessary to meet the demands described by Subdivisions (1), (2), and (3) of this subsection.

(c) Authorizes HHSC, in designing and conducting the study, to collaborate with institutions of higher education in this state that award medical degrees.

(d) Requires HHSC, not later than September 1, 2026, to prepare and submit to the legislature a written report containing the results of the study and any recommendations for legislative or other action.

SECTION 2. Provides that this Act expires September 1, 2027.

SECTION 3. Effective date: upon passage or September 1, 2025.