

By: Schoolcraft

H.B. No. 2264

A BILL TO BE ENTITLED

1 AN ACT
2 relating to information provided by friends and family for
3 inclusion into certain patients' medical records and to health care
4 professionals' duties when discharging certain patients from
5 inpatient care.

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

7 SECTION 1. The heading to Subtitle I, Title 2, Health and
8 Safety Code, is amended to read as follows:

9 SUBTITLE I. MEDICAL RECORDS; DUTIES ON DISCHARGE OF CERTAIN
10 PATIENTS

11 SECTION 2. Subtitle I, Title 2, Health and Safety Code, is
12 amended by adding Chapters 183 and 184 to read as follows:

13 CHAPTER 183. FRIENDS AND FAMILY FORM FOR CERTAIN HEALTH CARE
14 SERVICES

15 Sec. 183.001. DEFINITIONS. In this chapter:

16 (1) "Friends and family form" means a form for
17 individuals who have a close, personal interest in a patient's
18 well-being to provide health or background information about the
19 patient to a health care professional to assist the professional in
20 providing mental health, behavioral health, or substance use
21 treatment to the patient.

22 (2) "Health care professional" means an individual who
23 is licensed, certified, or otherwise authorized by this state's
24 laws to provide or render health care in the ordinary course of

1 business or practice of a profession.

2 Sec. 183.002. APPLICABILITY OF CHAPTER. This chapter
3 applies only in relation to the provision of mental health,
4 behavioral health, or substance use treatment to a patient.

5 Sec. 183.003. CONSTRUCTION OF CHAPTER. This chapter may
6 not be construed to modify or alter any generally accepted ethics,
7 standards, protocols, or laws governing health care professionals.

8 Sec. 183.004. COMMISSION DUTIES. (a) The commission
9 shall:

10 (1) develop a friends and family form; and

11 (2) post on the commission's Internet website:

12 (A) the form; and

13 (B) a web page for health care professionals and
14 friends and family members of patients that provides information on
15 available federal guidance resources addressing health information
16 privacy and other useful information as the commission determines
17 appropriate.

18 (b) The commission may notify interested persons of the
19 availability of the resources described by Subsection (a).

20 Sec. 183.005. CONTENT OF FRIENDS AND FAMILY FORM. (a) An
21 individual with a close, personal interest in the well-being of a
22 patient may provide on a friends and family form information
23 regarding a patient's:

24 (1) diagnosis;

25 (2) past hospitalizations;

26 (3) de-escalation techniques;

27 (4) current and past health care providers and contact

- 1 information for those providers;
2 (5) potential triggers;
3 (6) housing status;
4 (7) family history, relationships, and social
5 environment;
6 (8) current medical conditions; and
7 (9) current and past medications.

8 (b) The commission may include any other field on the
9 friends and family form the commission determines would assist a
10 health care professional in providing mental health, behavioral
11 health, or substance use treatment to a patient.

12 (c) The friends and family form must clearly state the
13 information provided on the form may become part of the patient's
14 medical record.

15 Sec. 183.006. PROVISION OF SUPPLEMENTAL INFORMATION. In
16 addition to information provided under a friends and family form,
17 an individual who has a close, personal interest in the well-being
18 of a patient may provide to a health care professional supplemental
19 information about the patient, including documents, records,
20 photos, testimonials, and other significant health-related
21 information.

22 Sec. 183.007. INFORMATION ACCURACY REQUIREMENTS. An
23 individual who provides information about a patient under this
24 chapter must ensure the information is accurate to the individual's
25 best knowledge.

26 Sec. 183.008. HEALTH CARE PROFESSIONAL DUTIES. (a) A
27 health care professional may accept information provided under this

1 chapter to supplement the patient's medical record:

2 (1) in writing or through e-mail; or

3 (2) subject to Subsection (b), verbally, including
4 through a voicemail message.

5 (b) A health care professional must establish a
6 documentation process for information provided verbally for
7 inclusion in the patient's medical record.

8 (c) A health care professional shall acknowledge receipt of
9 information provided under this chapter but is not required to
10 disclose any additional information.

11 (d) A health care professional may accept a wholly or partly
12 completed friends and family form.

13 (e) A health care professional may omit from the patient's
14 medical record information provided under this chapter if:

15 (1) the patient explicitly objects to the professional
16 receiving information from a specific person; or

17 (2) the professional does not consider the provided
18 information relevant to the patient's treatment.

19 Sec. 183.009. DISCLOSURE OF INFORMATION. (a) Except as
20 provided by Subsection (b), a health care professional may not
21 disclose information provided under this chapter to any other
22 person if the patient expressly prohibits disclosure.

23 (b) A health care professional may disclose information
24 provided under this chapter in accordance with a court order or
25 other law.

26 Sec. 183.010. LIMITED LIABILITY OF HEALTH CARE
27 PROFESSIONALS. A health care professional is not subject to any

1 civil, criminal, or administrative liability or professional
2 disciplinary action for an act or omission in response to
3 information provided under this chapter.

4 CHAPTER 184. DUTIES ON DISCHARGE FROM INPATIENT TREATMENT

5 Sec. 184.001. DEFINITIONS. In this chapter:

6 (1) "Health care professional" means an individual who
7 is licensed, certified, or otherwise authorized by this state's
8 laws to provide or render health care in the ordinary course of
9 business or practice of a profession.

10 (2) "Inpatient care" includes a patient receiving
11 inpatient care:

12 (A) at a chemical dependency treatment facility
13 licensed under Chapter 464;

14 (B) voluntarily for mental health services under
15 Chapter 572; or

16 (C) as part of a court order for mental health
17 services under Chapter 574.

18 Sec. 184.002. DUTIES ON INPATIENT TREATMENT DISCHARGE. (a)
19 A health care professional responsible for discharging a patient
20 from inpatient care for mental health, behavioral health, or
21 substance use treatment in this state shall make a reasonable
22 effort to:

23 (1) provide a written or telephonic notice stating the
24 date and time the patient is scheduled to be discharged to any
25 health care professional who is providing mental health, behavioral
26 health, or substance use treatment to the patient unless the
27 patient objects;

1 (2) not later than 24 hours after the patient is
2 discharged, provide written or telephonic notice of the discharge
3 to any health care professional to whom the patient is referred for
4 follow-up care; and

5 (3) provide to the patient the educational documents
6 described by Section 184.003.

7 (b) The notice described by Subsection (a)(2) must include a
8 summary of the patient's medical history and any current mental
9 health, behavioral health, or substance use conditions the patient
10 is experiencing at the time of discharge. The discharging health
11 care professional must transmit the summary to the treating health
12 care professional not later than the date of the patient's first
13 follow-up appointment.

14 Sec. 184.003. EDUCATIONAL DOCUMENTS. (a) The commission
15 shall create and publish on the commission's Internet website
16 educational documents for a patient and the patient's family
17 members, caregivers, and friends that provide information on the
18 warning signs of self-harm and the importance of seeking treatment
19 after discharge from inpatient care.

20 (b) The educational documents must recommend the provision
21 of ongoing care to the patient and clarify that medical privacy laws
22 do not prevent a family member, friend, or other person from
23 communicating the patient's condition to a health care professional
24 providing treatment to the patient in accordance with Chapter 183.

25 SECTION 3. (a) Not later than December 1, 2025, the
26 executive commissioner of the Health and Human Services Commission
27 shall:

1 (1) develop the form required by Section 183.004(a),
2 Health and Safety Code, as added by this Act;

3 (2) develop the educational documents required by
4 Section 184.003, Health and Safety Code, as added by this Act; and

5 (3) adopt rules necessary to implement the changes in
6 law made by this Act.

7 (b) Chapters 183 and 184, Health and Safety Code, as added
8 by this Act, apply only to health care services provided on or after
9 December 1, 2025.

10 SECTION 4. This Act takes effect September 1, 2025.