

By: Pierson

H.B. No. 3560

A BILL TO BE ENTITLED

AN ACT

relating to the licensing of mental hospitals and mental health facilities and the definition of facility for the purposes of the employee misconduct registry.

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

SECTION 1. Section 253.001(4), Health and Safety Code, as amended by Chapters 674 (H.B. 1009) and 887 (H.B. 4696), Acts of the 88th Legislature, Regular Session, 2023, is reenacted and amended to read as follows:

(4) "Facility" means:

(A) a nursing facility licensed by the commission under Chapter 242;

(B) an intermediate care facility for individuals with an intellectual disability licensed by the commission under Chapter 252;

(C) an adult foster care provider that contracts with the commission;

(D) a home and community support services agency licensed by the commission under Chapter 142;

(E) a prescribed pediatric extended care center licensed by the commission under Chapter 248A;

(F) an assisted living facility licensed by the commission under Chapter 247;

(F-1) a facility licensed under Chapter 555;

1 (F-2) a facility licensed under Chapter 577;

2 (G) a day activity and health services facility
3 licensed by the commission under Chapter 103, Human Resources Code;

4 (H) a residential child-care facility as defined
5 by Section 42.002, Human Resources Code, at which an elderly person
6 or an adult with a disability resides or is in the facility's care;

7 (I) a provider who provides home and
8 community-based services under the home and community-based
9 services (HCS) waiver program or the Texas home living (TxHmL)
10 waiver program; or

11 (J) a facility that is exempt from licensure
12 under Section 252.003.

13 SECTION 2. Section 577.004(d), Health and Safety Code, is
14 amended to read as follows:

15 (d) The application must contain:

16 (1) the name and location of the mental hospital or
17 mental health facility;

18 (2) the name and address of the physician to be in
19 charge of the hospital care and treatment of the patients;

20 (3) the names and addresses of the mental hospital
21 owners, including the officers, directors, and principal
22 stockholders if the owner is a corporation or other association, or
23 the names and addresses of the members of the board of trustees of
24 the community center or the directors of the entity designated by
25 the department to provide mental health services;

26 (4) the bed capacity to be authorized by the license;

27 (5) the number, duties, and qualifications of the

1 professional staff;

2 (6) a description of the equipment and facilities of
3 the mental hospital or mental health facility; ~~and~~

4 (7) the name and address of the person responsible for
5 the daily operations of the mental hospital or mental health
6 facility; and

7 (8) other information required by the department,
8 including affirmative evidence of ability to comply with the
9 department's rules and standards.

10 SECTION 3. The Health and Human Services Commission is
11 required to implement a provision of this Act only if the
12 legislature appropriates money specifically for that purpose. If
13 the legislature does not appropriate money for that purpose, the
14 commission may, but is not required to, implement a provision of
15 this Act using other money available for that purpose.

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