

By: Eckhardt

S.B. No. 719

A BILL TO BE ENTITLED

AN ACT

relating to the collection of information on available beds at inpatient mental health facilities providing acute psychiatric treatment.

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

SECTION 1. Section 311.0335, Health and Safety Code, is amended by amending Subsection (a) and adding Subsection (c) to read as follows:

(a) A hospital that provides mental health or chemical dependency services shall submit to the department financial and utilization data relating to the mental health and chemical dependency services provided by the hospital, including data for inpatient and outpatient services relating to:

(1) patient demographics, including race, ethnicity, age, gender, and county of residence;

(2) admissions;

(3) discharges, including length of inpatient treatment;

(4) specific diagnoses and procedures according to criteria prescribed by the Diagnostic and Statistical Manual of Mental Disorders, 3rd Edition, Revised, or a later version prescribed by department rule;

(5) total charges and the components of the charges;

(6) payor sources; ~~and~~

(7) use of mechanical restraints; and

(8) total number of inpatient psychiatric beds,
including the total number of beds disaggregated by:

(A) age;

(B) online beds; and

(C) offline beds.

(c) In this section:

(1) "Online bed" means an inpatient psychiatric bed
that is:

(A) operational and occupied; or

(B) unoccupied and available to serve patients.

(2) "Offline bed" means an inpatient psychiatric bed
that is unoccupied and unavailable to serve patients.

SECTION 2. (a) In this section:

(1) "Commission" means the Health and Human Services
Commission.

(2) "Inpatient mental health facility" has the meaning
assigned by Section [571.003](#), Health and Safety Code.

(b) For purposes of this section, an inpatient mental health
facility is considered to be contracted with the commission if the
facility:

(1) contracts directly with the commission; or

(2) is subcontracted through a local mental health
authority or local behavioral health authority.

(c) The commission shall conduct a study regarding the
availability of beds at inpatient mental health facilities in this
state that provide acute inpatient psychiatric treatment. The

study must evaluate:

(1) the current number of psychiatric beds available at inpatient mental health facilities in this state that provide inpatient psychiatric treatment, including a breakdown of beds available:

(A) at inpatient mental health facilities that are state hospitals operated by the commission;

(B) at inpatient mental health facilities contracted with the commission;

(C) at inpatient mental health facilities not contracted with the commission; and

(D) in each facility type described by Paragraphs (A), (B), and (C) for patients:

(i) committed to a facility for competency restoration services under Chapter 46B, Code of Criminal Procedure;

(ii) admitted to a facility under Chapter 573, Health and Safety Code;

(iii) committed to a facility under Chapter 574, Health and Safety Code;

(iv) voluntarily admitted to a facility under Chapter 574, Health and Safety Code;

(v) committed to a facility after having been found not guilty by reason of insanity under Chapter 46C, Code of Criminal Procedure;

(vi) voluntarily admitted to a facility;

(vii) 18 years of age or older;

(viii) 13 years of age or older but younger

1 than 18 years of age;

2 (ix) 12 years of age or younger;

3 (x) receiving not less than 365 days of
4 mental health treatment in a facility; and

5 (xi) who have been diagnosed with an
6 intellectual or developmental disability;

7 (2) the total number of patients who received
8 inpatient psychiatric treatment between September 1, 2024, and
9 August 31, 2025, at inpatient mental health facilities in this
10 state, including private facilities, that provide that treatment,
11 including a breakdown of:

12 (A) the number of patients committed to a
13 facility for competency restoration services under Chapter 46B,
14 Code of Criminal Procedure, including the number of individuals
15 committed under an initial order of commitment or an order
16 extending the initial restoration period;

17 (B) the number of patients admitted to a facility
18 under Chapter 573, Health and Safety Code;

19 (C) the number of patients committed to a
20 facility under Chapter 574, Health and Safety Code;

21 (D) the number of patients voluntarily admitted
22 to a facility under Chapter 574, Health and Safety Code;

23 (E) the number of patients committed to a
24 facility after having been found not guilty by reason of insanity
25 under Chapter 46C, Code of Criminal Procedure;

26 (F) the number of patients voluntarily admitted
27 to a facility;

1 (G) the number of patients 18 years of age or
2 older;

3 (H) the number of patients 13 years of age or
4 older but younger than 18 years of age;

5 (I) the number of patients 12 years of age or
6 younger;

7 (J) the percentage of patients admitted to a
8 facility who require not less than 365 days of mental health
9 treatment in a facility;

10 (K) the number of patients who have been
11 diagnosed with an intellectual or developmental disability;

12 (L) the number of patients who have been admitted
13 two or more times to a facility; and

14 (M) the number of patients who reach the 190-day
15 limit of inpatient psychiatric treatment under the Medicare
16 program;

17 (3) the total number of incarcerated patients who
18 received inpatient psychiatric treatment between September 1,
19 2024, and August 31, 2025, through a jail diversion program while
20 incarcerated in this state;

21 (4) the feasibility of trauma service area regional
22 advisory councils to collect and report to the commission data on
23 the number of inpatient psychiatric beds available or occupied at
24 each hospital located in the geographic areas the trauma service
25 area regional advisory councils serve; and

26 (5) the need over the next 10 years of inpatient mental
27 health facilities that provide inpatient psychiatric treatment,

expressed as a range of the minimum and maximum amounts needed, for:

(A) additional inpatient psychiatric beds, including needed beds that are funded or under construction, and the percentage needed for patients who require not less than 365 days of treatment; and

(B) additional resources, including workforce needs, necessary to meet the demands described by this subdivision.

(d) In designing and conducting the study, the commission may collaborate with institutions of higher education, as defined by Section 61.003, Education Code, in this state that award medical degrees.

(e) Not later than December 1, 2026, the commission shall prepare and submit to the legislature a written report containing the results of the study and any recommendations for legislative or other action.

(f) This section expires September 1, 2027.

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

SECTION 4. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2025.