

By: Campbell, Johnson

S.B. No. 1608

A BILL TO BE ENTITLED

AN ACT

relating to physical examination requirements for patients admitted to an inpatient mental health facility.

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

SECTION 1. Subchapter A, Chapter 575, Health and Safety Code, is amended by adding Sections 575.004 and 575.005 to read as follows:

Sec. 575.004. IN-PERSON PHYSICAL EXAMINATION REQUIREMENTS.

(a) Except as provided by Subsection (b), a physical examination or assessment of a patient admitted to an inpatient mental health facility that is required to be conducted on the patient's admission must be conducted in person.

(b) A physical examination or assessment described by Subsection (a) may be conducted using telemedicine medical services if, at the time the examination or assessment is required to be conducted, the area in which the inpatient mental health facility is located is subject to a declaration of disaster by the governor under Chapter 418, Government Code, or a declaration of local disaster under that chapter. In this subsection, "telemedicine medical service" has the meaning assigned by Section 111.001, Occupations Code.

Sec. 575.005. PHYSICAL EXAMINATION REQUIREMENTS IN CERTAIN COUNTIES. (a) This section applies only to an inpatient mental health facility located in a county with a population of less than

1 200,000.

2 (b) Notwithstanding any other law, a physical examination
3 or assessment described by Section 575.004(a) of a patient admitted
4 to an inpatient mental health facility to which this section
5 applies must be conducted not later than 48 hours after the
6 patient's admission.

7 SECTION 2. Sections 575.004 and 575.005, Health and Safety
8 Code, as added by this Act, apply only to the admission of a patient
9 to an inpatient mental health facility that occurs on or after the
10 effective date of this Act. The admission of a patient to an
11 inpatient mental health facility that occurs before the effective
12 date of this Act is governed by the law in effect on the date the
13 admission occurred, and the former law is continued in effect for
14 that purpose.

15 SECTION 3. This Act takes effect September 1, 2025.