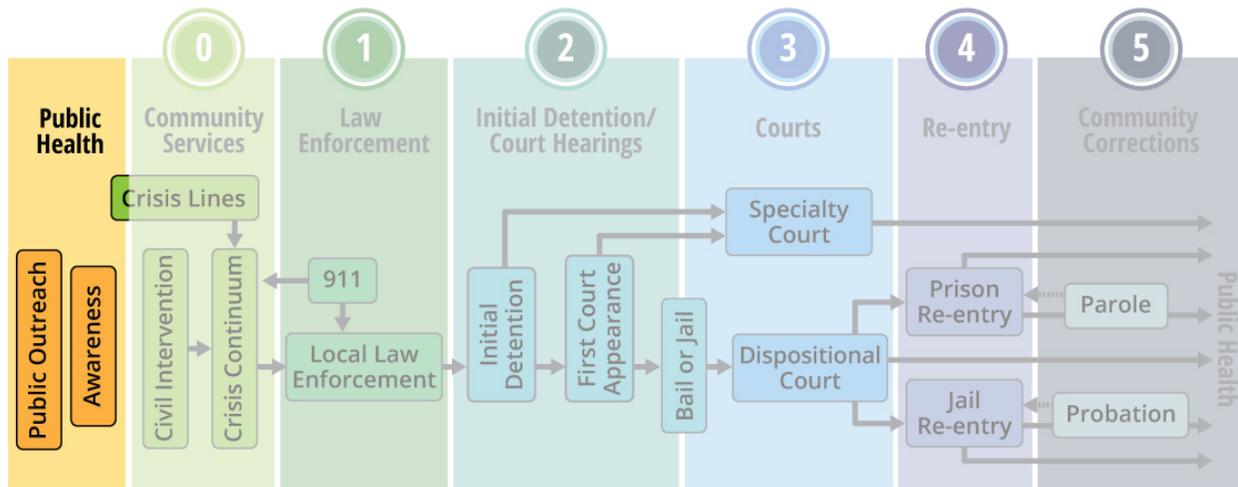




87th REGULAR SESSION
LEGISLATIVE SUMMARY

**MENTAL HEALTH AND IDD BILLS
BY SEQUENTIAL INTERCEPT MODEL**

PUBLIC HEALTH



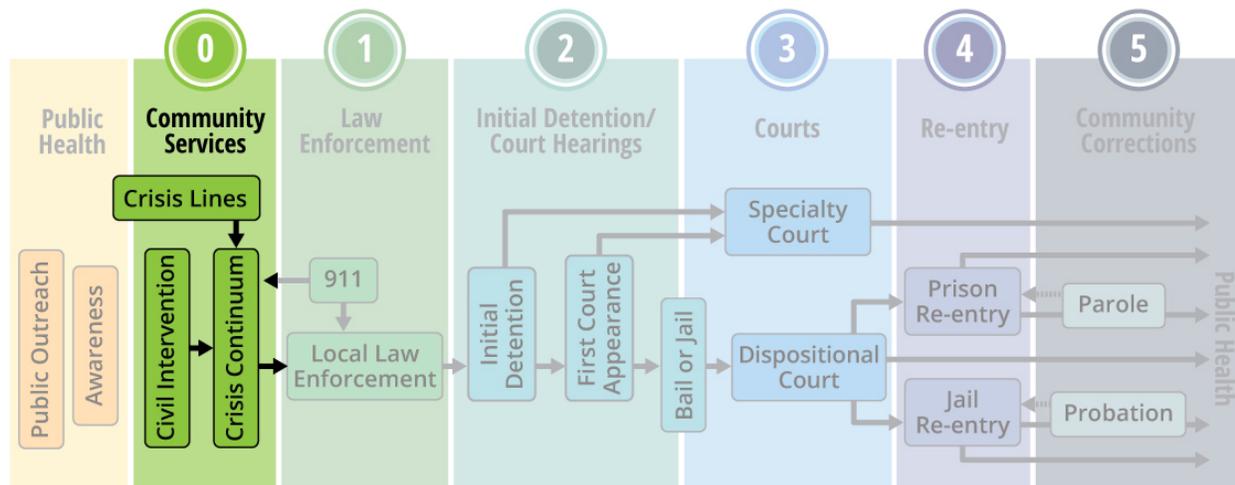
SB 184: Requires DSHS to collaborate with HHSC to study the prevalence of eating disorders and eating disorder-related deaths and prepare a report no later than December 1, 2023. This bill also requires DSHS to study eating disorders among youth in the state and prepare a report no later than December 1, 2024.

SB 454: Establishes a requirement that each LMHA regional group meet quarterly and also that each regional LMHA group make annual updates to the Mental Health Services Plan.

SB 640: Requires HHSC to study the interoperability needs and technology readiness of behavioral health service providers in the state and submit a report no later than August 31, 2022.

HB 2822: Requires HHSC to allow nonpreferred antipsychotic medication included on the vendor drug formulary to be prescribed without a prior authorization in the Medicaid managed care program if a 14-day trial of a preferred medication was unsuccessful, the medication was prescribed previously with a prior authorization, or the dose has been modified.

INTERCEPT 0 COMMUNITY SERVICES

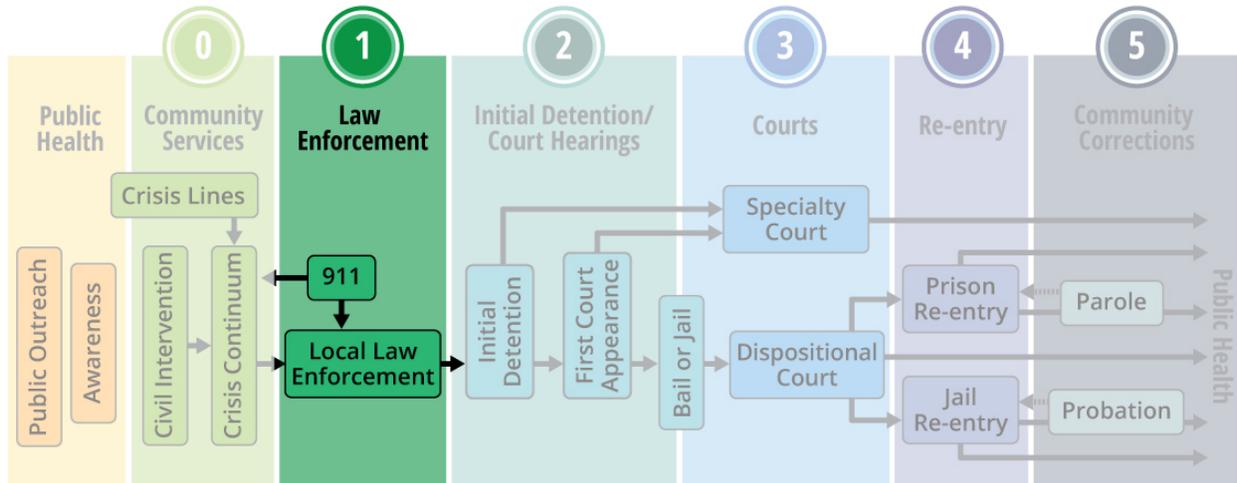


SB 41: Raises the statutory fee for the filing of civil mental health cases to \$223.

HB 2093: Expands the definition of "non-physician mental health professional" to include a licensed physician assistant who has expertise in psychiatry or is currently working in a mental health facility.

HB 2595: Created Mental Health Condition and Substance Use Disorder Parity Awareness Month (October) and requires the Insurance Commission to establish a portal for complaints regarding parity complaints against insurance carriers.

INTERCEPT 1 LAW ENFORCEMENT

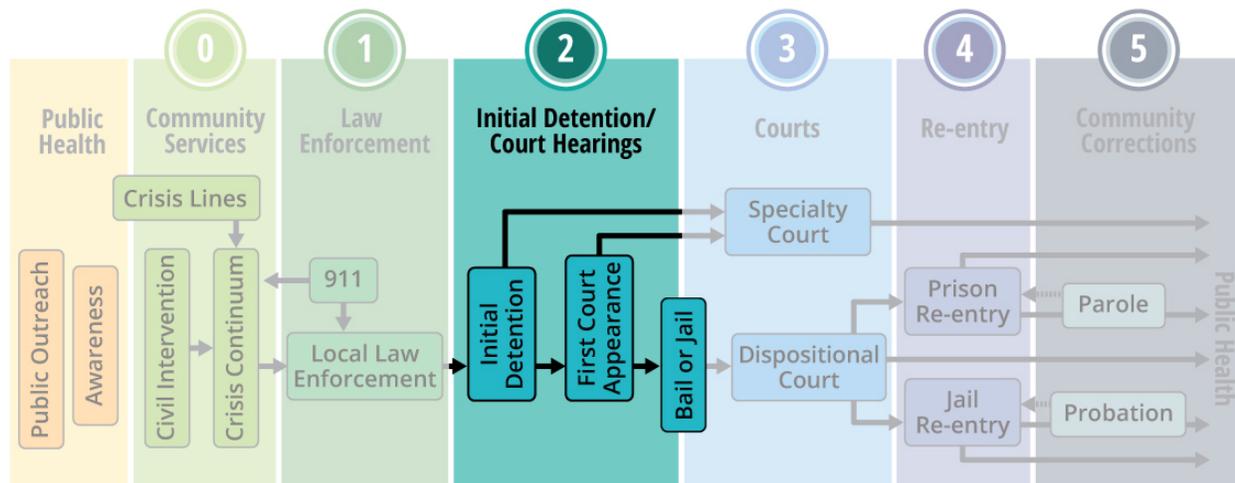


HB 549: Creates exemptions from civil, criminal, or administrative liability for mental health professionals who disclose a patient’s confidential information to medical, mental health, or law enforcement personnel when probable immediate physical or emotional harm to themselves or physical harm to others is determined. Does not create a duty to disclose confidential information to which the exemption applies.

HB 1927 (Sec. 23): Creates a new law that prohibits the carrying of firearms and other weapons in mental health facilities and hospitals.

INTERCEPT 2

INITIAL DETENTION/COURT HEARINGS



SB 49 (Sec. 1): Removes the requirement that a magistrate order a 16.22 interview for defendants who are no longer in custody.

SB 49 (Sec. 2): Expands the individuals entitled to receive the report regarding a defendant suspected of having a mental illness or IDD (16.22 report), to: counsel for both parties, the trial court, sheriff or other person who is responsible for the defendant's medical records, and the personal bond office or director of the department responsible for supervision of a defendant on bond with MH or IDD conditions.

SB 49 (Sec. 3): This bill removes the requirement that certain individuals with MI or ID “swear under oath” that they will appear in court as part of their release on bond. This oath is waived as the qualifying individuals (individuals released under certain statutes involving MI, ID, or a finding of incompetent to stand trial).

SB 49 (Sec. 10): Requires that individuals who are incarcerated be provided with each prescription medication that a physician or mental health professional determines to be necessary for their care and/or stabilization.

HB 766: Requires that a magistrate notify the sheriff of bond conditions and other pertinent information regarding any protected party. Also requires that the sheriff update the TCIC with the received information and to notify any protected individual of the defendant’s release on bond. Finally, HB 766 requires that any changes to the bond must be updated on TCIC and any protected individual duly notified.

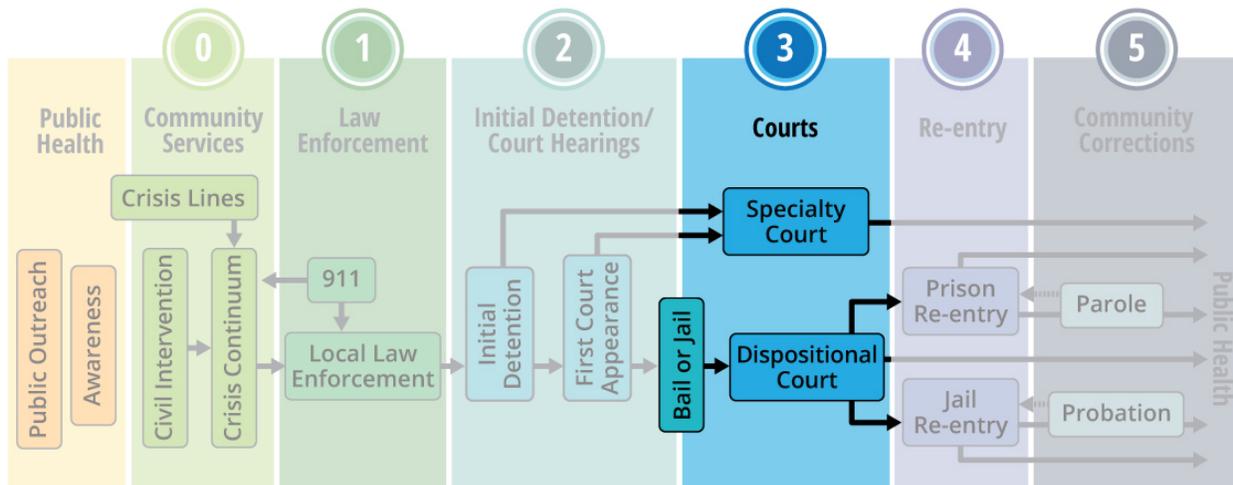
HB 1664: Requires Medicaid coverage to be reinstated for a child in a juvenile facility if the child is hospitalized or receives care in an inpatient setting.

HB 2107: Allows juveniles who are unfit to proceed or lack responsibility due to IDD to receive services on an outpatient basis and creates a requirement that a juvenile court must consult with the probation department and with local treatment providers in order to determine appropriate services for juveniles with mental illness or IDD.

HB 2831: Creates an advisory committee to advise Texas Commission on Jail Standards and make recommendations regarding the confinement of individuals with intellectual or developmental disabilities.

HB 3774: Codifies the requirement that a justice of the peace or municipal court judge may not accept a plea from a defendant unless they appear to be mentally competent, and the plea is given freely and voluntarily.

INTERCEPT 3 COURTS



SB 49 (Sec. 4 and Sec. 5): Provides clarification for when competency restoration orders begin, the triggering event being the latter of the date the order for restoration is signed by the Court or when the actual restoration services begin.

SB 49 (Sec. 8): Allows a court to consider a possible step-down in the placement of a defendant under an order for civil commitment.

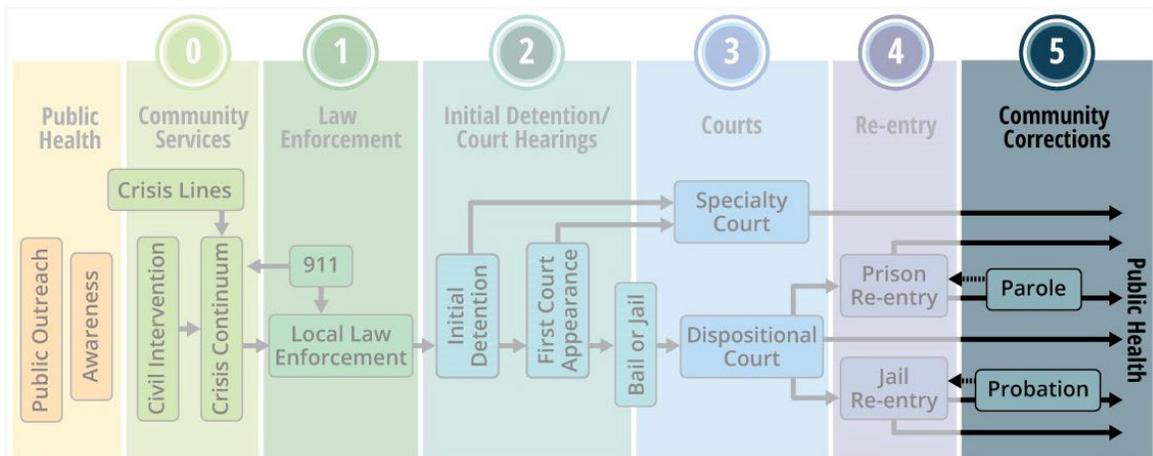
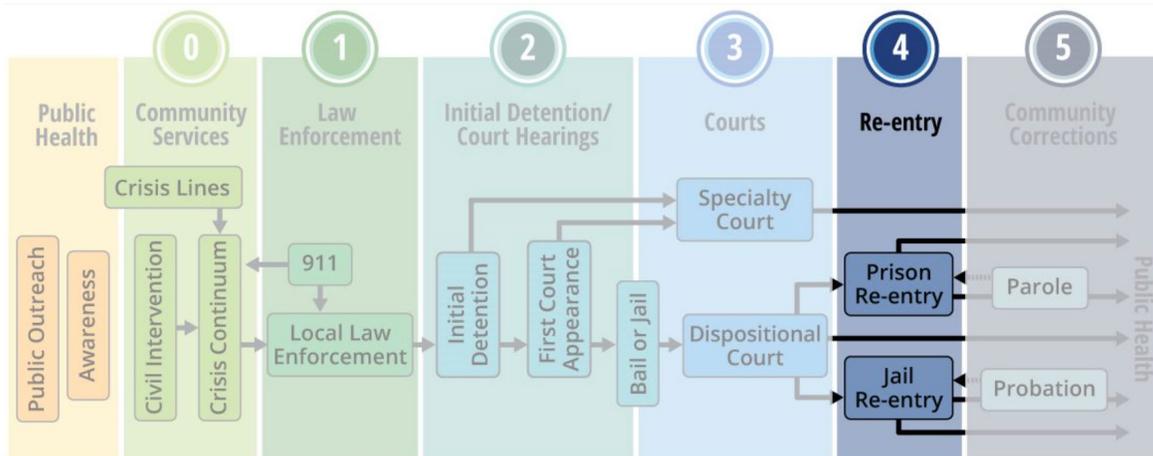
SB 49 (Sec. 9): Aligns the expert qualifications required for insanity evaluations with those required for competency evaluations.

SB 49 (Sec. 6): Amends the JBCR pilot program language to align with the language for a JBCR implemented by a county. This section also allows the HHSC JBCR program to sunset in 2022 and to be governed by the laws of the county implemented JBCR.

SB 49 (Sec. 7): Allows for continued JBCR services until a placement in an in-patient facility becomes available. Also allows the trial court to modify an order for JBCR to outpatient competency restoration if it is deemed appropriate to do so.

HB 454: Allows for the creation of a juvenile family drug court program that can be established by county courts.

INTERCEPT 4 RE-ENTRY & INTERCEPT 5 COMMUNITY CORRECTIONS



HB 385: Expands reasons a supervision officer or judge may modify a defendant's community supervision conditions, revises the basic discretionary conditions of community supervision, sets out provisions relating to a court's duty to consider a defendant's ability to make payments, provides for a defendant's right to request reconsideration of their ability to pay and for the court's review of that request. Additionally, H.B. 385 expands a judge's authority to reduce or terminate a, previously ineligible, defendant's community supervision, and sets out certain notice requirements if the judge does not terminate the supervision after the review.