

BILL ANALYSIS

Senate Research Center

S.B. 1182
By: Deuell
Health & Human Services
4/9/2003
Committee Report (Amended)

DIGEST AND PURPOSE

Texas Community Mental Health and Mental Retardation Centers have become integral parts of their local communities. Through the eyes of their communities, centers have developed a unique view of service needs and service priorities. S.B. 1182 requires local mental health or mental retardation authorities to develop a local service plan to help each center meet the needs of its community.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 533B, Health and Safety Code, by adding Section 533.0354, as follows:

Sec. 533.0354(c). LOCAL AUTHORITY PLANNING FOR LOCAL SERVICE AREA.

(a) Requires each local mental health or mental retardation authority to develop a local service area plan to maximize the authority's services by using the best and most cost-effective means of using federal, state, and local resources to meet the needs of the local community according to the relative priority of those needs.

(b) Requires a local service area plan to be consistent with the purposes, goals, and policies stated in Section 531.001 and the Texas Department of Mental Health and Mental Retardation's (MHMR) long-range plan developed under Section 533.032.

(c) Requires MHMR and a local mental health or mental retardation authority to use the local authority's local service plan as the basis for contracts between MHMR and the local authority and for establishing the local authority's responsibility for achieving outcomes related to the needs and characteristics of the authority's local service area.

(d) Requires the local mental health or mental retardation authority, in developing the local service area plan, to perform certain tasks.

SECTION 2. (a) Effective date: upon passage or September 1, 2003.

(b) Makes application of Section 533.0354(c) prospective to January 1, 2004.

LIST OF AMENDMENTS

COMMITTEE AMENDMENT NO. 1:

(1) In Section 1 of the bill, immediately following the period at the end of proposed Subsection (a), Section 533.0354, Health and Safety Code (page 1, line 12), insert:

Each local mental health or mental retardation authority shall undertake to maximize federal funding.

(2) In Section 1 of the bill, strike Paragraphs (B), (C), and (D), Subdivision (2), Subsection (d), Section 533.0354, Health and Safety Code (page 2, lines 11-16), and substitute:

(B) goals to minimize the need for state hospital and community hospital care;

(C) goals to ensure a client with mental retardation is placed in the least restrictive environment appropriate to the person's care;

(D) goals to divert consumers from the criminal justice system; and

(E) opportunities for innovation in services and service delivery.