

BILL ANALYSIS

Senate Research Center
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S.B. 1507
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Health & Human Services
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The Department of State Health Services (DSHS) is the agency in charge of administering forensic mental health services for justice-involved individuals, for example people who are determined to be incompetent to stand trial or not guilty by reason of insanity

Though these services are vital to serving individuals with mental health issues in the criminal justice system, the size and complexity of the forensic population that DSHS serves has grown to the extent that a decentralized, local approach no longer meets the need for efficient statewide and cross-agency coordination between the public mental health and criminal justice systems. As a result, a growing number of individuals in state hospitals are involved in the criminal justice system and more inmates in Texas prisons and jails are living with one or more mental health conditions and substance use disorders.

S.B. 1507 amends the Health and Safety Code by authorizing the creation of a forensic director position in DSHS with responsibility for statewide coordination and oversight of forensic services and DSHS programs relating to forensic evaluation, competency restoration, transition of forensic patients from inpatient to outpatient or community-based services, forensic monitoring, or forensic research and training. The director would ensure that state resources are appropriately applied to the forensic population, that individuals do not have to wait extended periods for needed services, and that forensic operations are streamlined and best practices adopted statewide.

As proposed, S.B. 1507 amends current law relating to the appointment of a forensic medical director responsible for statewide coordination and oversight of forensic mental health services provided by the Department of State Health Services.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 532, Health and Safety Code, by adding Section 532.013, as follows:

Sec. 532.013. FORENSIC MEDICAL DIRECTOR. (a) Defines “commissioner,” “department,” “forensic patient,” and “forensic services.”

(b) Requires the commissioner of the Department of State Health Services (commissioner) to appoint a forensic medical director.

(c) Requires a person, to be qualified for appointment as forensic medical director, to be a physician licensed to practice in this state and have proven expertise in forensic services.

(d) Provides that the forensic medical director reports to the commissioner and is responsible for:

- (1) statewide coordination and oversight of forensic services;
- (2) any programs operated by the Department of State Health Services (DSHS) relating to evaluation of forensic patients, transition of forensic patients from inpatient to outpatient or community-based services, community forensic monitoring, or forensic research and training; and
- (3) addressing issues with the delivery of forensic services in the state, including:
 - (A) significant increases in populations with serious mental illness and criminal justice system involvement;
 - (B) adequate availability of DSHS facilities for civilly committed forensic patients;
 - (C) wait times for forensic patients who require competency restoration services;
 - (D) interruption of mental health services of recently released forensic patients; and
 - (E) coordination of services provided forensic patients by state agencies.

SECTION 2. Requires the commissioner to appoint a forensic medical director as required by Section 532.013, Health and Safety Code, as added by this Act, as soon as practicable after the effective date of this Act.

SECTION 3. Effective date: upon passage or September 1, 2015.