

SUBJECT: Designating the San Angelo State Supported Living Center as forensic

COMMITTEE: Human Services — favorable, without amendment

VOTE: 7 ayes — Raymond, Frank, Keough, Klick, Miller, Minjarez, Rose
0 nays
2 absent — Swanson, Wu

SENATE VOTE: On final passage, April 26 — 31-0, on Local and Uncontested Calendar

WITNESSES: *On House companion bill, HB 3420:*
For — None
Against — None
On — Susan Murphree, Disability Rights Texas (*Registered, but did not testify*: Scott Schalchlin, Department of Aging and Disability Services)

BACKGROUND: Health and Safety Code, sec. 555.002 requires the Department of Aging and Disability Services to establish a separate forensic state supported living center (SSLC) for the care of high-risk alleged offender residents and directs the department to designate the Mexia SSLC for this purpose. Sec. 555.002 also requires that high-risk alleged offender residents be placed in separate homes at the forensic SSLC based on an individual's age or sex.

DIGEST: SB 1300 would require the Department of Aging and Disability Services to designate the San Angelo State Supported Living Center (SSLC) as a forensic SSLC. The bill also would remove the requirement that high-risk alleged offenders be placed in separate homes at a forensic SSLC and instead would require that they be placed in appropriate homes.
The bill would take effect September 1, 2017.

SUPPORTERS SAY: SB 1300 would align statute with current practice by designating the San Angelo State Supported Living Center (SSLC) as a forensic SSLC. San Angelo currently receives forensic residents despite its lack of formal designation as a forensic SSLC.

The bill also would give forensic SSLC facilities more flexibility to treat patients and save money by removing the requirement that separate housing be provided for high-risk alleged offenders. The volume of high-risk alleged offenders has been lower than expected when the requirement for separate housing was created, resulting in the underuse of space set aside for separate housing. Additionally, the line between a high-risk alleged offender and an alleged offender who is not high-risk can be thin, and many high-risk alleged offenders can safely cohabitate with others.

The bill still would maintain adequate safeguards for resident safety by requiring that residents be placed in appropriate homes at an SSLC. The appropriateness of housing would be decided comprehensively on a case-by-case basis by an interdisciplinary team made up of the resident and his or her guardian, as well as nurses, doctors, and social workers involved in the resident's care. The bill also would not prohibit separate housing of residents if that was deemed most appropriate.

OPPONENTS SAY: SB 1300 would remove the requirement that high-risk alleged offenders be housed separately, which could increase the chance of residents harming one another. Although the bill would require that residents be placed in “appropriate” homes at an SSLC, the lack of statutory definition for what qualifies as appropriate leaves unclear whether it would sufficiently guarantee the safety and wellbeing of those housed at a forensic SSLC.

NOTES: A companion bill, HB 3420 by Darby, was withdrawn from the Local, Consent, and Resolutions Calendar on May 12.