

**SUBJECT:** Requiring payment of costs for certain mental health hearings

**COMMITTEE:** County Affairs — committee substitute recommended

**VOTE:** 6 ayes — Coleman, Stucky, Anderson, Lopez, Spiller, J. Turner

1 nay — Cason

2 absent — Longoria, Stephenson

**WITNESSES:** For — Sherry Bustin, Oceans Healthcare; Steve Wohleb, Texas Hospital Association; (*Registered, but did not testify:* Christine Yanas, Methodist Healthcare Ministries of South Texas, Inc.; Eric Woomer, Signature Behavioral Health; Dan Finch, Texas Medical Association; Kevin Stewart, Texas Psychological Association)

Against — Jim Allison, County Judges and Commissioners Association of Texas; (*Registered, but did not testify:* Melissa Shannon, Bexar County Commissioners Court; Adam Haynes, Conference of Urban Counties; Daniel Collins, El Paso County; Larry Woolley, Johnson County and County Judges and Commissioners Association of Texas; Guy Herman, Statutory Probate Courts of Texas; Russell Schaffner, Tarrant County)

On — (*Registered, but did not testify:* Julie Wheeler, Travis County Commissioners Court)

**BACKGROUND:** Health and Safety Code sec. 571.018(j) requires the judge of a probate court to order the court clerk to refund court costs for a hearing related to mental health for an inpatient mental health facility that paid or advanced such costs for a person and had received no compensation or reimbursement for treating the person.

**DIGEST:** CSHB 3125 would expand the circumstances under which the judge of a probate court would be required to order the court clerk to refund court costs paid for a person by an inpatient mental health facility to include on the filing of an affidavit certifying that the facility:

- had provided treatment for the person under a contract with the local mental health authority; or
- had provided treatment for the person and the person was eligible for Medicaid benefits.

The bill also would repeal the statutory provision prohibiting the state or county from paying any costs for a patient committed to a private mental health hospital unless a public facility was not available and the commissioners court of the county, if appropriate, authorized the payment.

The bill would take effect September 1, 2021.