

SUBJECT: Prohibiting hospitals from discharging patients to certain facilities

COMMITTEE: Human Services — favorable, without amendment

VOTE: 6 ayes — Frank, Rose, Manuel, Noble, Ramos, Shaheen
0 nays
3 absent — Campos, Hull, Klick

SENATE VOTE: On final passage (April 20) — 31 - 0

WITNESSES: For — Laurie Christensen, Harris County Fire Marshal; Greg Lowry, Harris County Sheriff’s Office (*Registered, but did not testify*: Andrea Earl, AARP TX; Dennis Borel, Coalition of Texans with Disabilities; Paul Sugg, Harris County Commissioners Court; David Batton, Harris County Deputies Organization FOP 39; Hannah Gill, NAMI Texas; Erica Nunn, Office of the Long-Term Care Ombudsman)

Against — None

BACKGROUND: Concerns have been raised that hospitals are authorized to discharge patients to certain boarding home facilities that may lack appropriate oversight.

DIGEST: SB 186 would allow a hospital or other health facility to discharge or otherwise release a patient to a group home, boarding home facility, or similar group-centered facility only if the person operating the facility held an applicable license or permit.

A hospital or other health facility could discharge or release a patient to a group-centered facility operated by an unlicensed or unpermitted person only if no group-centered facility was operated in the county in which the patient was discharged by a person who held an applicable license or permit or if the patient voluntarily chose to reside in the group-centered facility of an unlicensed or unpermitted person.

A hospital or other health facility would not be liable for damages to a patient discharged to a group-centered facility of an unlicensed or unpermitted person if the discharge met the requirements under the bill. A local health authority could not issue an order authorizing a hospital or other health facility to discharge or release a patient to a group-centered facility in a way that conflicted with the bill.

The bill would take effect September 1, 2023. Changes to liability would apply only to a cause of action that accrued on or after the effective date.