(5) a savings or checking account if the youth is at least 18 years of age and has a
source of income; and
(6) any other appropriate transitional living service identified by the department.

SECTION 2. This Act takes effect September 1, 2013.

Passed the Senate on April 25, 2013: Yeas 26, Nays 2; passed the House on May 8,
2013: Yeas 147, Nays 0, two present not voting.

Approved May 24, 2013.

Effective September 1, 2013.

CHAPTER 169
S.B. No. 1889
AN ACT
relating to the transport of a mental health patient who is not a resident of this state.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Subdivision (12), Section 571.003, Health and Safety Code, is amended to
read as follows:

(12) “Mental health facility” means:
(A) an inpatient or outpatient mental health facility operated by the department, a
federal agency, a political subdivision, or any person;
(B) a community center or a facility operated by a community center; or
(C) that identifiable part of a general hospital in which diagnosis, treatment, and care
for persons with mental illness is provided; or
(D) with respect to a reciprocal agreement entered into under Section 571.0081, any
hospital or facility designated as a place of commitment by the department, a local
mental health authority, and the contracting state or local authority.

SECTION 2. Subsections (a), (c), and (e), Section 571.008, Health and Safety Code, are
amended to read as follows:

(a) The department may return a nonresident patient committed to a department mental
health facility or other mental health facility under Section 571.0081 to the proper agency of
the patient’s state of residence.

(c) Subject to Section 571.0081, the department may enter into reciprocal agreements
with the state or local authorities, as defined by Section 571.0081, of other
states to facilitate the return of persons committed to mental health facilities in this state or
another state to the states of their residence.

(e) The state returning a committed patient to another state shall bear the expenses of
returning the patient, unless the state agrees to share costs under a reciprocal agreement
under Section 571.0081.

SECTION 3. Chapter 571, Health and Safety Code, is amended by adding Section
571.0081 to read as follows:

Sec. 571.0081. RETURN OF COMMITTED PATIENT TO STATE OF RESIDENCE;
RECIPROCAL AGREEMENTS. (a) In this section, “state or local authority” means a
state or local government authority or agency or a representative of a state or local
government authority or agency acting in an official capacity.

(b) If a state or local authority of another state petitions the department, the department
shall enter into a reciprocal agreement with the state or local authority to facilitate the
return of persons committed to mental health facilities in this state to the state of their
residence unless the department determines that the terms of the agreement are not
acceptable.
(c) A reciprocal agreement entered into by the department under Subsection (b) must require the department to develop a process for returning persons committed to mental health facilities to their state of residence. The process must:

(1) provide suitable care for the person committed to a mental health facility;
(2) use available resources efficiently; and
(3) consider commitment to a proximate mental health facility to facilitate the return of the committed patient to the patient's state of residence.

(d) For the purpose of this section, the department shall coordinate, as appropriate, with a mental health facility, a mental hospital, health service providers, courts, and law enforcement personnel located in the geographic area nearest the petitioning state.

SECTION 4. The change in law made by this Act to Chapter 571, Health and Safety Code, applies only to a reciprocal agreement between the state and another entity entered into on or after the effective date of this Act. A reciprocal agreement entered into between the state and another entity before the effective date of this Act is governed by the law in effect on the date the reciprocal agreement was entered into, and the former law is continued in effect for that purpose.

SECTION 5. This Act takes effect September 1, 2013.

Passed the Senate on May 2, 2013: Yeas 31, Nays 0; passed the House on May 8, 2013: Yeas 146, Nays 0, two present not voting.

Approved May 24, 2013.

Effective September 1, 2013.