

BILL ANALYSIS

Senate Research Center

S.B. 1217
By: Moncrief
Criminal Justice
4/13/1999
As Filed

DIGEST

Currently, information concerning the mental health of a person detained in a correctional facility may be disclosed only to health care personnel. In rural areas this regulation is problematic where the availability of health care staff is limited. A change to the restriction would allow jail staff, who are primarily responsible for screening medical or mental health needs, and certain other personnel to receive the confidential information. Allowing other staff to obtain the information will reduce the delay in obtaining treatment for a person in custody. Staff may use the information only for the purpose of treatment or health care. S.B. 1217 would amend the disclosure requirements of certain information concerning the mental health of a person detained in a correctional facility.

PURPOSE

As proposed, S.B. 1217 amends the disclosure requirements of certain information concerning the mental health of a person detained in a correctional facility.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 611.004(a), Health and Safety Code, to authorize a professional to disclose confidential information only to designated persons or personnel of a correctional facility in which a person is detained if the disclosure is for the sole purpose of providing treatment and health care to the person in custody, rather than disclose to health care personnel of a penal or other custodial institution in which the patient is detained and for the purpose of providing care to the patient.

SECTION 2. Effective date: September 1, 1999.

SECTION 3. Emergency clause.