

## **BILL ANALYSIS**

Senate Research Center  
80R10245 UM-D

H.B. 2524  
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Health & Human Services  
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Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

In Bexar County, a large number of people with mental illness or substance abuse problems are being "treated" through incarceration rather than through less-expensive options. The Bexar County Jail routinely has 450-550 inmates who have persistent mental illnesses and/or a substance addiction, and of the 11,179 inmates screened, approximately 60 percent showed signs of mental health disorders compounded by a substance addiction. These people often are in jail for misdemeanors such as public intoxication, panhandling, or vagrancy.

In 2005, several agencies within Bexar County developed the Crisis Care Center at the downtown campus of the university health system to reduce the costs to law enforcement, time in emergency rooms, and inappropriate incarcerations. This jail diversion program has been successful and has won awards from the National Council of Community Behavioral Health Centers and the Gold Award of the American Psychiatric Association.

Currently, there is no facility where a debilitated person can be assessed and provided with immediate treatment. Beyond the significant costs associated with jail or prison overcrowding, it is significantly more expensive to house mentally ill or addicted inmates than general population inmates. Because law enforcement officials have no other alternatives, they frequently either arrest such people or take them to emergency rooms--another costly option. There are also significant systemic costs associated with processing these people through the criminal justice system, such as extended processing times for law enforcement officers and extra court services. Because such inmates rarely receive the treatment they need, they are more likely to be arrested again once they are released.

Unfortunately, there are very few comprehensive resources available to address the problem. Furthermore, mental health treatment is limited to three "single diagnosis" disorders: severe depression, schizophrenia, and bipolar disorder. As a result, over half of these individuals receive no treatment of any kind.

H.B. 2524 authorizes the development of a pilot project in Bexar County, through which the Department of State Health Services will assist Bexar County in providing medical and mental health care through intervention and detoxification units.

### **RULEMAKING AUTHORITY**

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

### **SECTION BY SECTION ANALYSIS**

SECTION 1. (a) Requires the Department of State Health Services (DSHS) to develop a pilot project in Bexar County to address jail overcrowding by diverting persons with mental illness or substance abuse problems to inpatient and outpatient services using a public safety triage and detoxification unit.

(b) Requires DSHS, in developing the pilot project, to assist in the construction of a public safety triage and detoxification unit through which inpatient and outpatient mental health and substance abuse treatment services may be administered, and contract with the Bexar County local mental health and mental retardation authority or an appropriate nonprofit foundation for the provision of mental health and substance abuse assessment

and treatment services, including services for dual diagnosis disorders, to persons with mental illnesses and substance abuse problems or both who are homeless or referred to the pilot project through a jail diversion program.

(c) Authorizes DSHS, participating local mental health authorities, prosecutorial agencies, law enforcement agencies, jail facilities, courts, county or municipal governments, appropriate nonprofit foundations, and providers of psychiatric services to enter into agreements regarding the procedures to follow in implementing the project and the duties of each participating entity.

(d) Requires DSHS, not later than November 1, 2008, to submit to the governor, lieutenant governor, and speaker of the house of representatives a report regarding the quality of the services provided through the pilot project, the cost-effectiveness of providing mental health and substance abuse services in coordination with a jail diversion program, recommendations for establishing similar programs throughout the state, and any other relevant information as determined by the department.

(e) Provides that this section expires September 1, 2009.

SECTION 2. Requires a state agency affected by a provision of this Act to request a waiver or authorization from a federal agency necessary for implementation of that provision and authorizes the agency to delay implementing that provision until the waiver or authorization is granted.

SECTION 3. Effective date: September 1, 2007.