

BILL ANALYSIS

Senate Research Center
81R27422 GCB-F

H.B. 4276
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Health & Human Services
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

According to state records, nearly 600 patients discharged from the San Antonio State Hospital have been dropped off at a bus station since January 2008. During this period, the facility discharged 3,000 psychiatric patients, including those dependent on medications, and left an average of 42 patients at the bus station each month. One such patient, Raquel Padilla, was left unattended at the bus station and died days later. Although the cause of her death has not yet been determined, her family was unaware of her impending arrival because they had not been notified or given plans for her transport before her dismissal from the facility.

According to the Texas Department of State Health Services, the state does not maintain ongoing legal responsibility for a patient once a patient is discharged, except to ensure that the patient reaches a mode of transportation.

H.B. 4276 relates to a transportation plan for persons furloughed or discharged from certain mental health facilities.

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. Amends Subchapter F, Chapter 574, Health and Safety Code, by adding Section 574.089, as follows:

Sec. 574.089. TRANSPORTATION PLAN FOR FURLOUGH OR DISCHARGE. (a) Requires the facility administrator of a mental health facility, in conjunction with the local mental health authority, to create a transportation plan for a person scheduled to be furloughed or discharged from the facility.

(b) Requires that the transportation plan account for the capacity of the person, be in writing, and specify who is responsible for transporting the person, when the person will be transported, and where the person will arrive.

(c) Requires the facility administrator, if the person consents, to forward the transportation plan to a family member of the person before the person is transported.

SECTION 2. Effective date: September 1, 2009.