

1-1 By: Spiller, Allison (Senate Sponsor - Perry) H.B. No. 4085
 1-2 (In the Senate - Received from the House May 4, 2023;
 1-3 May 5, 2023, read first time and referred to Committee on State
 1-4 Affairs; May 15, 2023, reported favorably by the following vote:
 1-5 Yeas 8, Nays 0; May 15, 2023, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16			X	
1-17			X	
1-18			X	

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to the payment by the state or a county of costs for
 1-22 certain mental health hearings or proceedings.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Sections 571.018(h) and (j), Health and Safety
 1-25 Code, are amended to read as follows:

1-26 (h) The state or a county may not pay any costs for a patient
 1-27 committed to a private mental hospital, other than a filing fee or
 1-28 other cost associated with a hearing or proceeding under this
 1-29 subtitle, unless:

1-30 (1) a public facility is not available; and

1-31 (2) the commissioners court of the county authorizes
 1-32 the payment, if appropriate.

1-33 (j) The judge of a court conducting a hearing or proceeding
 1-34 under this subtitle shall order the clerk of the court to refund
 1-35 court costs paid or advanced for a person by ~~when~~ an inpatient
 1-36 mental health facility as defined under Section 571.003(9)(A), (B),
 1-37 (D), or (E) on the filing of ~~[571.003(9)(B) or (E) files]~~ an
 1-38 affidavit with the clerk of the court certifying that:

1-39 (1) the facility has received no compensation or
 1-40 reimbursement for the treatment of the person;

1-41 (2) the facility provided treatment for the person
 1-42 under a contract with a local mental health authority; or

1-43 (3) the facility provided treatment for the person and
 1-44 only received reimbursement under Medicaid ~~[it has received no~~
 1-45 compensation or reimbursement for the treatment of a person for
 1-46 whom court costs have been paid or advanced, the judge of the
 1-47 probate court shall order the clerk of the court to refund the
 1-48 costs].

1-49 SECTION 2. This Act takes effect September 1, 2023.

1-50 * * * * *