

1-1 By: Miles S.B. No. 186
 1-2 (In the Senate - Filed November 14, 2022; February 15, 2023,
 1-3 read first time and referred to Committee on Health & Human Services;
 1-4 April 17, 2023, reported favorably by the following vote: Yeas 9,
 1-5 Nays 0; April 17, 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 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to the prohibited discharge of a patient to certain
 1-20 unlicensed or unpermitted group-centered facilities.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. The heading to Chapter 256, Health and Safety
 1-23 Code, is amended to read as follows:

1-24 CHAPTER 256. SAFE PATIENT HANDLING, ~~[AND]~~ MOVEMENT, AND DISCHARGE
 1-25 PRACTICES

1-26 SECTION 2. Chapter 256, Health and Safety Code, is amended
 1-27 by adding Section 256.003 to read as follows:

1-28 Sec. 256.003. PROHIBITED DISCHARGE OF PATIENTS TO CERTAIN
 1-29 GROUP-CENTERED FACILITIES. (a) Subject to Subsection (b), a
 1-30 hospital or other health facility may discharge or otherwise
 1-31 release a patient to the care of a group home, boarding home
 1-32 facility, or similar group-centered facility only if the person who
 1-33 operates the group-centered facility holds a license or permit
 1-34 issued in accordance with applicable state law.

1-35 (b) A hospital or other health facility may discharge or
 1-36 otherwise release a patient to the care of a group home, boarding
 1-37 home facility, or similar group-centered facility operated by a
 1-38 person who does not hold a license or permit issued in accordance
 1-39 with applicable state law only if:

1-40 (1) no group-centered facility is operated in the
 1-41 county in which the patient is discharged by a person who holds the
 1-42 applicable license or permit; or

1-43 (2) the patient voluntarily elects to reside in the
 1-44 group-centered facility of the unlicensed or unpermitted person.

1-45 (c) A hospital or other health facility is not liable for
 1-46 damages to a patient resulting from the patient's discharge or
 1-47 release to a group home, boarding home facility, or similar
 1-48 group-centered facility under Subsection (b).

1-49 (d) A local health authority may not issue an order
 1-50 authorizing a hospital or health facility to discharge or release a
 1-51 patient to a group-centered facility in a manner that conflicts
 1-52 with this section.

1-53 SECTION 3. Section 256.003(c), Health and Safety Code, as
 1-54 added by this Act, applies only to a cause of action that accrues on
 1-55 or after the effective date of this Act.

1-56 SECTION 4. This Act takes effect September 1, 2023.

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