



## Report Required by HB 518, 80<sup>th</sup> Legislature

### Background

House Bill 518, passed by the 80<sup>th</sup> Legislature, amended the Texas Health and Safety Code (HSC) Chapter 573, relating to Emergency Detention, and Chapter 574, relating to Court-Ordered Mental Health Services.

HB 518 amended HSC Section 573.021, subsection (b), to extend the length of detention of a person delivered to a mental health facility for a preliminary examination prior to admission to the facility. The period of detention was changed from “*not longer than 24-hours*” to a period “*not longer than 48-hours*” unless a written order for protective custody is obtained. The 48-hour period would include any time spent at the facility before receiving the preliminary examination; including time spent receiving medical or emergency care. The subsection also changed the time of day a person can be released from being detained. If the 48-hour period ends on a Saturday, Sunday, legal holiday, or before 4 p.m. on the first succeeding business day, the person may be detained until 12 p.m. on the first succeeding business day rather than 4 p.m. Otherwise, the person can be detained only until 4 p.m. on the day the 48-hour period ends.

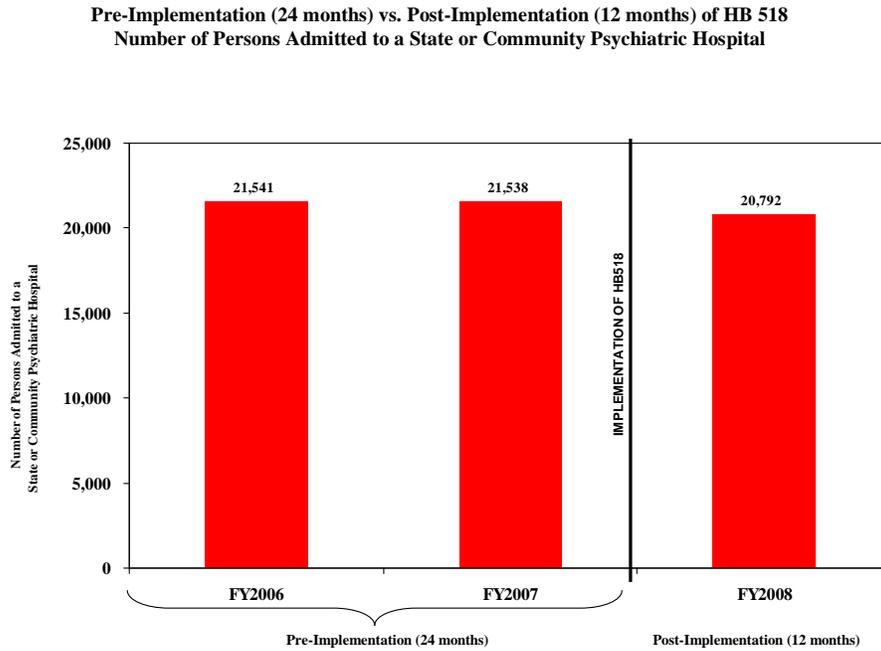
Section 573.021, subsection (c) was amended to decrease the amount of time a physician has to examine an individual from “*within 24-hours*” to “*within 12-hours*” after the person is apprehended by a police officer or transported to the mental health facility for emergency detention by the person’s guardian. This bill also amended Section 574.021, subsection (d), to require that a motion for an order of protective custody be filed within three days, rather than five days, of when the physician performed the examination.

HB 518 also requires the Department of State Health Services (DSHS) to conduct a study on the effects these changes have on reducing the overall number of admissions to state mental health facilities and the number of admissions of persons to state mental health facilities for periods of less than 96 hours.

### Evaluation

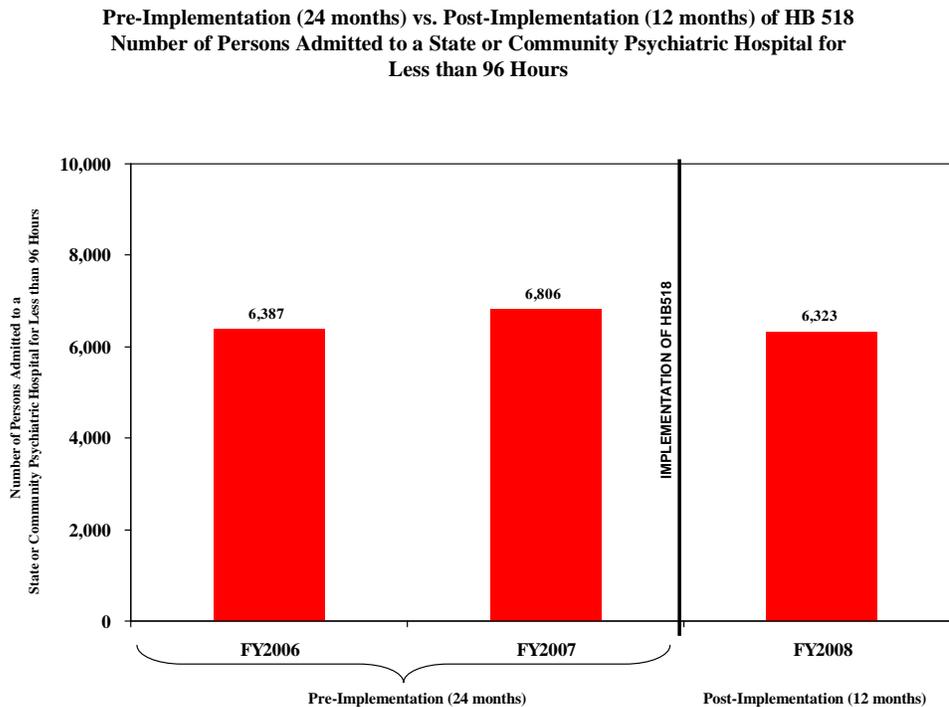
As required, DSHS has conducted a study of the effects this change in law made on reducing the overall number of admissions to state mental health facilities, and the number of admissions of persons to state mental health facilities for periods of less than 96 hours. The study period includes the 24 months prior to the change in law and the 12 months following the change in law.

**Figure 1: Number of Persons Admitted to State Mental Health Facilities**



Source: DSHS NorthSTAR Data Warehouse and Client Assignment and Registration (CARE).  
Prepared by: Decision Support, 12/10/2008

**Figure 2: Number of Persons Admitted to a State Mental Health Facility < 96 Hours**



Source: DSHS NorthSTAR Data Warehouse and Client Assignment and Registration (CARE).  
Prepared by: Decision Support, 12/8/2008

## Conclusions

According to the study by the Department of State Health Services, the following conclusions are noted:

1. Data indicates a decrease in the overall number of admissions to state mental health facilities from the period 24 months prior to the change in law, to the 12 month period following the change in law (e.g., decrease by 3% from Fiscal Year 2007 to Fiscal Year 2008). However, the difference is not statistically significant.
2. Data indicates a decrease in the number of admissions of individuals to state mental health facilities for periods of less than 96 hours from the period 24 months prior to the change in law to the 12 month period following the change in law (e.g., decrease by 7% from Fiscal Year 2007 to Fiscal Year 2008). There is no statistically significant difference.
3. The decrease indicated during the study period cannot be attributed solely to the changes made by House Bill 518. There are countless variables that may confound the data used to complete this study.
4. Based on the limited timeframe from implementation, no long-term conclusions about the impact of this legislation can be made.