

SUBJECT: Expanding usage of state property transferred to Spindletop MHMR

COMMITTEE: Human Services — favorable, without amendment

VOTE: 9 ayes — Rose, Herrero, Darby, Elkins, Hernandez, Hughes, Legler, Naishtat, Walle

0 nays

WITNESSES: None

BACKGROUND: In 1999, the 76th Legislature enacted SB 358 by Madla, authorizing the Department of Mental Health and Mental Retardation (MHMR) to transfer the state-operated Beaumont State Center, which provided mental health and mental retardation services, to locally controlled community services. Subsequently, the Beaumont State Center facility was leased to Spindletop Mental Health and Mental Retardation Services (Spindletop), a nonprofit MHMR organization in Beaumont.

In 2001, the 77th Legislature enacted HB 1628 by Deshotel, authorizing MHMR to convey the land, buildings, and improvements of the Beaumont State Center to Spindletop in consideration for Spindletop's continued use of the property to provide community-based mental health or mental retardation services. However, because the transfer did not occur by May 31, 2002, the transfer deadline required in the legislation, Spindletop never received title to the facility.

In 2007, the 80th Legislature enacted HB 1759 by Deshotel, which authorized the Health and Human Services Commission (HHSC), the Department of State Health Services (DSHS), or the Department of Aging and Disability Services (DADS) to transfer to Spindletop all or part of the real property of the former site of the Beaumont State Center, except for oil, gas, and other mineral interest rights, free of any debts related to the property that accrued before the transfer. As with HB 1628, HB 1759 required Spindletop to use the property to provide community-based mental health or mental retardation services. If Spindletop failed to use the property for such services for more than 180 continuous days, ownership would revert to the agency that made the transfer.

DIGEST: HB 1023 would expand the allowable uses of the Beaumont State Center property transferred by the HHSC, DSHS, or DADS to Spindletop. Specifically, it would authorize the parties to a previous agreement transferring Beaumont State Center property to Spindletop to amend or supplement that agreement to require Spindletop to use the property for community-based physical health and health-related services in addition to mental health and mental retardation services. If Spindletop failed to use the property in the manner described by the new agreement for more than 180 continuous days, ownership would revert to the entity that transferred the property.

The bill also would require that any amendment or addendum be executed by the parties and recorded in Jefferson County, Texas.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2009.

SUPPORTERS SAY: HB 1023 would allow Spindletop to offer a broader range of community-based health services addressing both the physical and mental healthcare needs of the Beaumont community. Currently, patients of the former Beaumont State Center can only receive health services related to mental health and mental retardation, even if they require more comprehensive care. The bill would allow the parties to a prior land transfer between the state and Spindletop to lift this restriction, though it would not require it.

The bill would not affect the public's ownership of the oil, gas, and mineral rights beneath the former Beaumont State Center property.

OPPONENTS SAY: No apparent opposition.