

SUBJECT: Allowing courts to commit certain people to long-term residential care

COMMITTEE: Judiciary & Civil Jurisprudence — committee substitute recommended

VOTE: 5 ayes — Leach, Flores, Schofield, Slawson, Vasut

0 nays

4 absent — Julie Johnson, Davis, Moody, Murr

SENATE VOTE: On final passage (April 3) — 30 - 1

WITNESSES: For — Rebecca Japko, Parents & Allies for Remarkable Texans; Joan Brown; Deborah Cates; Stacey Combest

Against — Jeff Miller, Disability Rights Texas (*Registered, but did not testify*: Omodele Ojomo, Autism Society of Texas)

On — Jennifer Goode, Betty Hardwick Center (*Registered, but did not testify*: Laura Cazabon-Braly, Anne McGonigle, Health and Human Services Commission)

BACKGROUND: Concerns have been raised that some local intellectual and developmental disability authorities may not refer potential residents to state supported living centers although the admission criteria is met.

DIGEST: CSSB 944 would allow a court to commit a proposed resident to long-term placement in a residential care facility without an interdisciplinary team recommendation if the court determined beyond a reasonable doubt that the proposed resident met the requirements for commitment to a residential care facility.

As applicable, a petition to the court to issue a commitment order or the current interdisciplinary team report and recommendations would have to show that because of the proposed resident's intellectual disability, the proposed resident represented a substantial risk of physical impairment or

injury to themselves or others, or the proposed resident was unable to provide for their most basic personal physical needs.

The bill would take effect September 1, 2023.

NOTES:

According to the Legislative Budget Board, the fiscal implications of SB 944 cannot be determined due to unknown increases in state supported living center admissions.