Constitution. If this Act does not receive the vote necessary for immediate effect, those sections of the Education Code and Human Resources Code take effect September 1, 2009.

Passed by the House on April 24, 2009: Yeas 140, Nays 0, 1 present, not voting; the House refused to concur in Senate amendments to H.B. No. 2086 on May 29, 2009, and requested the appointment of a conference committee to consider the differences between the two houses; the House adopted the conference committee report on H.B. No. 2086 on May 31, 2009: Yeas 142, Nays 1, 1 present, not voting; passed by the Senate, with amendments, on May 27, 2009: Yeas 31, Nays 0; at the request of the House, the Senate appointed a conference committee to consider the differences between the two houses; the Senate adopted the conference committee report on H.B. No. 2086 on May 31, 2009: Yeas 31, Nays 0.

Approved June 19, 2009.
Effective September 1, 2009, except as provided by § 47(b).

CHAPTER 1131
H.B. No. 2093
AN ACT
relating to persons certified as peace officers.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Section 1701.404, Occupations Code, is amended to read as follows:

Sec. 1701.404. CERTIFICATION OF OFFICERS FOR MENTAL HEALTH ASSIGNMENTS. (a) The commission by rule may establish minimum requirements for the training, testing, and certification of special officers for offenders with mental impairments.

(b) The commission may certify a sheriff, sheriff's deputy, constable, [or] other peace officer, county jailer, or [a] justice of the peace[,] as a special officer for offenders with mental impairments if the person [officer]:

(1) completes a training course in emergency first aid and lifesaving techniques approved by the commission;

(2) completes a training course administered by the commission on mental health issues and offenders with mental impairments; and

(3) passes an examination administered by the commission that is designed to test the person’s [officer’s]:

(A) knowledge and recognition of the characteristics and symptoms of mental illness, mental retardation, and mental disabilities; and

(B) knowledge of mental health crisis intervention strategies for people with mental impairments.

(c) The commission may issue a professional achievement or proficiency certificate to an officer, county jailer, or justice of the peace who meets the requirements of Subsection (b).

SECTION 2. (a) The Commission on Law Enforcement Officer Standards and Education may certify a county jailer as a special officer for offenders with mental impairments and may issue a certificate to the county jailer if the county jailer meets the requirements of Section 1701.404(b), Occupations Code, as amended by this Act, regardless of whether the county jailer completed the required training and passed the examination before, on, or after the effective date of this Act.

(b) The Commission on Law Enforcement Officer Standards and Education may issue a certificate under Section 1701.404(c), Occupations Code, as amended by this Act, to a justice of the peace who is certified as a special officer for offenders with mental impairments regardless of whether the justice of the peace was certified before, on, or after the effective date of this Act.

SECTION 3. This Act takes effect September 1, 2009.

3133
CHAPTER 1132

H.B. No. 2163

AN ACT
relating to a study regarding the provision of certain medications through the Medicaid vendor drug program to children younger than 16 years of age.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Subchapter B, Chapter 531, Government Code, is amended by adding Section 531.0731 to read as follows:

Sec. 531.0731. STUDY REGARDING THE PROVISION OF CERTAIN MEDICATION TO CHILDREN. (a) The commission shall conduct a study to determine the appropriateness and safety of providing antipsychotic or neuroleptic medication through the Medicaid vendor drug program to children younger than 16 years of age.

(b) The study conducted under Subsection (a) must consider the following factors relevant to the appropriateness and safety of providing the medications to children:

(1) the physical and psychological medical diagnosis of a child's condition;

(2) whether the United States Food and Drug Administration has approved a medication for use by a child of a certain age;

(3) whether a child has successfully taken a medication previously;

(4) access to quality medical care for a child receiving benefits under the program;

(5) the standard of care in the medical profession regarding the provision of such medications to a child; and

(6) any other factor the commission considers relevant.

(c) Not later than November 10, 2010, the executive commissioner shall submit a report containing the results of the study conducted under Subsection (a) to the governor, the lieutenant governor, the speaker of the house of representatives, and the chairs of the Senate Committee on Health and Human Services and the House Committee on Public Health.

SECTION 2. This Act takes effect September 1, 2009.

Passed by the House on May 15, 2009: Yeas 135, Nays 4, 1 present, not voting; that the House refused to concur in Senate amendments to H.B. No. 2163 on May 29, 2009, and requested the appointment of a conference committee to consider the differences between the two houses; the House adopted the conference committee report on H.B. No. 2163 on May 31, 2009: Yeas 147, Nays 0, 1 present, not voting; passed by the Senate, with amendments, on May 25, 2009: Yeas 31, Nays 0; at the request of the House, the Senate appointed a conference committee to consider the differences between the two houses; the Senate adopted the conference committee report on H.B. No. 2163 on May 31, 2009: Yeas 31, Nays 0.

Approved June 19, 2009.
Effective September 1, 2009.

3134