

## **BILL ANALYSIS**

Senate Research Center  
76R1140 JJT-D

S.B. 44  
By: Shapiro  
Health Services  
3/1/1999  
As Filed

### **DIGEST**

Currently, Texas law allows minors between the ages of 16 and 18 to check themselves into drug treatment facilities without the consent of their parents. Texas law, however, also allows a minor between the ages of 16 and 18 to check out of the treatment facility, regardless of whether a parent admitted the child. S.B. 44 would require a parent to be notified of the release of a minor child when the parent checks their child into a treatment facility.

### **PURPOSE**

As proposed, S.B. 44 establishes provisions regarding consent for substance abuse treatment of a minor.

### **RULEMAKING AUTHORITY**

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 462.023, Health and Safety Code, to require the release of a voluntary patient except as provided by Subsections (b) and (c). Requires a facility to consult a parent if the patient is a minor, on receipt of the written request for release. Requires the facility to continue treatment if a parent objects, and signed a surrogate consent form at the time of the patient's admission and after the consultation. Makes conforming and nonsubstantive changes.

SECTION 2. Emergency clause.

Effective date: upon passage.