

BILL ANALYSIS

Senate Research Center
77R1213

S.B. 22
By: Shapiro
Health and Human Services
1/31/2001
As Filed

DIGEST AND PURPOSE

Currently, Texas law allows minors over the age of 16 who are placed in alcohol and drug rehabilitation centers by a parent or guardian to check themselves out of treatment without parental notice or consent. As proposed, S.B. 22 prohibits minors under the age of 18 from refusing drug or alcohol treatment when a parent or guardian is responsible for placing the minor in treatment, and requires the consultation and consent of a parent or guardian prior to the release of a minor under the age of 18 from a treatment center.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Authorizes this Act to be known as “JoJo’s Law.”

SECTION 2. Amends Section 462.009(a), Health and Safety Code, to prohibit a patient who is younger than 18, rather than 16, that is admitted under Section 462.022(a) (3) (A), from refusing treatment.

SECTION 3. Amends Section 462.022, Health and Safety Code, by defining “minor” for this section. Makes conforming changes.

SECTION 4. Amends Section 462.023, Health and Safety Code, by requiring a facility to consult with the person described by Subsection (b)(3) on receipt of the written request for release if the patient is a minor admitted under Section 462.022(a)(3)(A), and requires the facility to continue treatment of the patient as a voluntary patient if the person in writing objects to the release of the patient. Makes conforming and nonsubstantive changes.

SECTION 5. Effective date: upon passage or September 1, 2001.