

BILL ANALYSIS

Senate Research Center
86R27523 EAS-F

C.S.S.B. 2111
By: Watson
Health & Human Services
4/24/2019
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The 85th Legislature appropriated \$300 million to begin a multi-biennium effort to replace deteriorating state mental health hospitals and expand state inpatient mental health capacity. It included \$15.5 million to begin the pre-planning and planning process for the Austin State Hospital (ASH). The Health and Human Services Commission (HHSC) contracted with the Dell Medical School at The University of Texas at Austin (Dell Med) to lead the collaborative process.

Dell Med convened a steering committee of key stakeholder groups from across the region—all of whom see the ASH Brain Health System Redesign (ASH Redesign) as a unique opportunity to reimagine not just a hospital, but also the entire continuum of care for brain health. Using a patients-first approach, the ASH Redesign aims to optimize the overall operational budget through efficiencies to serve more people per tax dollar by delivering the right care at the right time in the right place. The priority on patient care guides every aspect of the design of the physical structure and delivery of care services.

A key recommendation regarding the operations of ASH was to move the management of ASH to an academic partner and create an oversight board. This model has been successfully employed for 30 years at the Harris County Psychiatric Center.

S.B. 2111 directs HHSC to develop a plan under which the state could contract with a local, public institution of higher education to transfer the operations of ASH. The plan should be developed in consultation with stakeholders, ensure the quality of care is maintained or improved, and include a mechanism for ensuring transparency and measuring client outcomes. HHSC would report back to the legislature and governor a written report containing the plan and any recommendations for legislation or other actions necessary. (Original Author's/Sponsor's Statement of Intent)

C.S.S.B. 2111 amends current law relating to the Health and Human Services Commission developing a plan to contract with a public institution of higher education to operate a certain state hospital.

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. Amends Chapter 552, Health and Safety Code, by adding Subchapter E, as follows:

SUBCHAPTER E. STATE HOSPITAL OPERATIONS

Sec. 552.151. TRANSITION PLANNING FOR CONTRACTED OPERATIONS OF A CERTAIN STATE HOSPITAL. Requires the Health and Human Services Commission (HHSC) to establish a plan under which HHSC is authorized to contract with a local public institution of higher education to transfer the operations of Austin State Hospital from HHSC to a local public institution of higher education.

Sec. 552.152. PLAN REQUIREMENTS. (a) Requires HHSC, in developing the plan, to:

- (1) consult with local public institutions of higher education;
- (2) establish procedures and policies to ensure that a local public institution of higher education that contracts with HHSC to operate Austin State Hospital operates the hospital at a quality level at least equal to the quality level achieved by HHSC; and
- (3) establish procedures and policies to monitor the care of affected state hospital patients.

(b) Requires the procedures and policies required to be established under Subsection (a) to ensure that HHSC is able to obtain and maintain information on activities carried out under the contract without violating privacy or confidentiality rules. Requires the procedures and policies to account for HHSC obtaining and maintaining information on:

- (1) client outcomes;
- (2) individual and average lengths of stay, including computation of lengths of stay according to the number of days a patient is in the facility during each calendar year, regardless of discharge and readmission;
- (3) the number of incidents in which patients were restrained or secluded;
- (4) the number of incidents of serious assaults in the hospital setting; and
- (5) the number of occurrences in the hospital setting involving contacts with law enforcement personnel.

Sec. 552.153. REPORT. Requires HHSC, not later than September 1, 2020, to prepare and deliver to the governor, the lieutenant governor, the speaker of the house of representatives, and the legislature a written report containing the plan and any recommendations for legislation or other actions necessary.

SECTION 2. Effective date: September 1, 2019.