



Texas hospitals support **House Bill 3163** by Rep. Jeff Leach and **Senate Bill 643** by Sen. Nathan Johnson to streamline access to emergency inpatient mental health treatment for individuals experiencing a psychiatric crisis.

HB 3163/SB 643 would clarify current law to **streamline patients' access to emergency psychiatric treatment** by allowing a clinician to request an Order of Protective Custody – a requirement before care can be provided – **in the county in which the assessing hospital or emergency room is located.**

Order of Protective Custody:

A court ordered mental health commitment issued by a judge for an individual who is found to be mentally ill to the degree that there is a substantial risk of serious harm to self or others unless the person is immediately restrained.

Only after a judge issues an OPC can a patient receive more intensive, specialized inpatient mental health treatment.

Under current law, clinicians only can request OPCs in counties in which the patient lives, is found or is receiving court-ordered mental health treatment. While most jurisdictions interpret “found” to include the county in which the hospital and patient currently are located, not all do.



For example, a patient experiencing a mental health crisis may be apprehended by law enforcement in one county and transported to a neighboring county's hospital. Representatives from the hospital then must travel to the county in which the patient was apprehended to request an OPC from that county's court. **This adds significant administrative burden and cost to facilities that could otherwise be providing intensive, specialized care to meet the patient's immediate mental health needs.**



HB 3163/SB 643 would clarify that clinicians may request an OPC in the county in which the assessing hospital or emergency department is located in order to **streamline the patient's access to medically necessary treatment.**