

State Hospital Medication Orders at Transfer

Relating to the administration of psychoactive medication to certain patients



TEXAS
Health and Human
Services

Rep. Gina Hinojosa • House Bill 3190

Problem

- Each year, a handful of people from either a state supported living center (SSLC) or the Texas Civil Commitment Office (TCCO) are transferred to a state hospital. In these cases, a hospital can't administer vital and necessary psychoactive medications because the patients are not on the type of commitment that allows hospitals to request a court order to administer medications. This creates a gap in care and treatment that can be highly detrimental to the person's health and well-being.
- SSLCs can compel medication with a court order for people residing at an SSLC. But if that person transfers to a hospital for mental health treatment, the Texas Health and Human Services Commission loses the continuing authority to compel medication.

Solution

- Allow state hospitals to pursue a medication order without having to first obtain a differing commitment type for people transferred from an SSLC or TCCO.
- This will ensure continuity of care and consistent authority across the health and human services system and for people who come to a hospital for mental health treatment.
- This may also reduce delays in treatment and patients' lengths of stay, ultimately improving services and more efficiently using state resources.

What happens if we don't change the statute?

Patients who are transferred to a state hospital from an SSLC or TCCO won't have consistent care or mental health treatment. State hospitals' ability to care for these patients to the best of their ability will be hindered, and patients will experience longer lengths of stay.

Questions, comments or concerns?

Contact Maggie Irwin • Maggie.Irwin@hsc.state.tx.us

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Q&A

Why is the requirement to seek an additional commitment order detrimental?

In the time it takes to get a necessary commitment order and an order to administer psychoactive medications, disruptions in medication can delay recovery, or worse, cause a person's mental health conditions to worsen. Being able to quickly resume or start medication means the patient gets better – it also means the hospital bed is used more efficiently.

When is an order to administer medication considered necessary?

Hospitals seek the order when a person isn't taking their medication and doesn't have capacity to consent to treatment.

What kinds of medication do hospitals administer in these cases?

The relevant statute allows hospitals to seek an order to compel appropriate psychoactive medications for psychiatric disorders.

How many people will this impact?

The change would impact relatively few people – less than 24 people a year – but it would significantly improve their well-being and the hospitals' operations.

How is continuity of care addressed when a person transfers to and from a hospital?

Generally, people are transferred to a state hospital because the SSLC or TCCO believes state hospital psychiatric expertise is needed to stabilize them. While they're receiving inpatient treatment, the state hospital clinicians make treatment decisions. But TCCO and the SSLC are invited to participate in treatment team meetings. When a person is transferred back to an SSLC or TCCO, the hospital provides documentation for any decisions or recommendations made regarding continued treatment regimens.

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