

**TEXAS MENTAL HEALTH CODE PROJECT UPDATE**  
*September 19, 2011*

*The Texas Mental Health Code (TMHC) Project is a policy initiative funded by the Hogg Foundation for Mental Health. Texas Appleseed is the primary grantee, with Disability Rights Texas as a partner. Dr. Susan Stone is the contracted facilitator of the project. This is a two-year grant awarded in November of 2010. The end result will be a report that outlines issues and suggested changes to the TMHC to better reflect our current behavioral health system.*

*The TMHC has not been substantially revised in more than twenty-five years, while behavioral health care standards, practices and services have changed dramatically during this time. As of the time of this update, eighteen stakeholder meetings have been held across the state, with more being planned throughout the fall. The purpose of these meetings is to obtain initial general feedback and input about the strengths and weaknesses of the current TMHC. We are simultaneously talking with national experts and researching other similar Codes across the country.*

*While there is not statewide consensus about all issues, preliminary results have identified a number of common threads:*

- The TMHC is confusing and unwieldy, with significant areas of overlap and inconsistency. Simplification, along with the development of standardized forms and manuals outside of the TMHC, has been consistently recommended.*
- Definitions in the TMHC, as well as Department responsibilities, are out of date. Furthermore, there should be more emphasis on data development, transparency and accountability to drive decision-making processes.*
- The TMHC focuses too much on involuntary interventions, while the vast majority of behavioral health interventions are voluntary. Most agree that the TMHC should explicitly state that involuntary interventions are a "last resort."*
- The role of law enforcement agencies in behavioral health events has changed dramatically since the TMHC was initially drafted. This creates different challenges across the state, particularly with regard to rural and urban areas. Issues related to emergency detention criteria, transportation, medical clearance, firearms, and wait times have figured prominently in all of these preliminary discussions.*
- Similarly, court processes around civil commitment vary widely across the state. Many stakeholders have suggested modifications to clarify commitment criteria, standardize court processing, better utilize video-*

- conferencing and electronic filing, re-examine court time frames regarding initial detention and re-evaluate assisted outpatient treatment.*
- *Clinical issues regarding the current TMHC include examining ways to better use mental health para-professionals, clarification of treatment parameters with regard to mental health emergencies, communication and coordination between medical and mental health emergency settings, and the need to better characterize informed consent processes across all treatment modalities.*

*For more information visit the Texas Mental Health Code Project facebook page or email Dr. Stone at [sstonejmd@me.com](mailto:sstonejmd@me.com).*