

Research Assessment 7: Mental Health Senate Bills

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Date: 12/02/2016

Sources:

1. "Abbott Sided with Conspiracy Theorists to Kill Mental Health Bill." Dallas News. The Dallas Morning News, 23 July 2015. Web. 09 Dec. 2016.
2. "Senate Bill 359." Open States. N.p., n.d. Web. 09 Dec. 2016.
3. Governor, Office Of the. "Governor Abbott Vetoes SB 359." Office of the Governor - Greg Abbott. The State of Texas, 2 June 2015. Web. 09 Dec. 2016.

Analysis:

It is important for individuals to be knowledgeable about proposed state legislation because statewide laws are the ones that affect citizens the most. Knowing how these laws will impact an individual is significant because change can occur for better or worse. It is at the State level that one can make a political impact and influence their government. Furthermore, it is crucial to keep track of legislation that can impact one's career field. Unfortunately, many individuals are uninformed when it comes to proposed and introduced bills. As a result, I have decided to look into a recent bill that was vetoed.

Senate Bill 359 was a bill that would have given hospitals, physicians, and peace officers the power to hold an individual if they were considered a danger to himself or to others. In the words of the bill itself, it was a bill "relating to the authority of a peace officer to apprehend a person for emergency detention and the

authority of certain facilities and physicians to temporarily detain a person with mental illness." A main concern was that "currently, emergency departments and hospitals are not authorized to hold an individual who initially requests mental health services, then subsequently requests to leave. This provides hospital employees with few options other than calling law enforcement in the case of emergency." This emergency detention power would have allowed law enforcement to check out a patient doctors were concerned about, given doctors more time to properly evaluate patients, and/or allowed individuals to have time to calm down to avoid unwarranted arrest. Surprisingly enough, through my research, I learned that Senate Bill 359 was a bipartisan bill meaning it had support from both parties. In fact, two of its sponsors were Republicans (Paul Workman, primary sponsor and Joan Huffman, cosponsor) and one was Democratic (Royce West, primary sponsor). Not only did it have political support, but it also had full support from the Texas Medical Association, Texas Hospital Association, Texas College of Emergency Physicians, and Federation of Texas Psychiatry. Furthermore, it did outstandingly well in our State Congress. It passed in Senate on April 9, 2015 and it passed in the House on May 13, 2015. When the final passage vote in the House happened, Senate Bill 359 got 128 votes yes, 12 votes no, and 10 votes other. However, the bill never became law because it was vetoed by the Governor. Governor Greg Abbott officially vetoed the bill because he thought it violated

the Fourth, Fifth, and Fourteenth Amendment of the United States. His reasoning was that Amendments limit the state's authority to deprive a person of liberty and Senate Bill 359 would have led to the erosion of constitutional liberties. However, many speculated that the Governor vetoed the bill due to influence by conspiracy theorist lobbyists. According to some, a coalition called the Citizens Commission on Human Rights, founded by the Church of Scientology, lobbied against the bill. The concern by the commission was mainly regarding psychiatric human rights violations. So what does this mean? The most obvious example that comes to mind is institutionalizing and medicating individuals who do not have any psychiatric condition.

While I understand the concerns of Governor Abbott, I personally would have supported the bill. As someone who has been exposed to both emergency departments and psychiatric hospitals, I agree with the concerns of the doctors. Having the ability to hold an individual with mental illnesses in a hospital for a brief period of time can be beneficial. If an individual with a mental illness such as schizophrenia is released from a hospital prematurely he or she could suffer from a psychotic break out on the streets and end up getting arrested for it. Psychotic breaks are disruptions to a person's thoughts and perceptions and often manifest in the form of delusions, violent outbursts, severe depression and auditory and visual hallucinations. With an emergency detainment, said individual would have their

psychotic break in a safe and capable environment. A violent outburst or hallucination in a hospital can be appropriately handled while out in the streets they are more likely to get arrested. The reason many individuals associate criminals with mental illnesses is because a sizable number of those arrested have mental illnesses and committed crimes due to their illness. Though police officers are improving their handling of those with mental illnesses in some cities, the same cannot be said for the entire State of Texas. That is why Senate Bill 359 would have enacted positive change as a law.

Whether or not one supports the bill or disagrees with it, the bill has died. It was vetoed and will not become a law. However, it is important to know what actions our State government is taking. Mental health is a current topic that is very hot and as a result, I expect to see more and more bills be discussed on the topic of mental health reform. Perhaps in the future, I will be knowledgeable about current bill and be able to actively participate in getting it passed or killed.