Texas Statutes Regarding Suicide

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The materials available on this website are for informational purposes only and not for the purpose of providing legal advice. You should consult with an attorney to obtain advice with respect to any particular issue, problem, or situation. Mental Health America of Texas and the Texas Suicide Prevention Council regret that we are unable to provide individual legal advice or further interpretations of these Texas statutes.

The following is a list of Texas laws (statutes) that relate to suicide prevention, services, or reporting.

The statutes are organized by subject, with a short explanation of what the law does and, when relevant, what suicide prevention advocates should know about that section of the law. The statutes are presented as excerpts, with only the section of the law that relates to suicide included. In many cases, the statute excerpts have been slightly edited and/or reformatted for clarity and ease of reading, but no content or meaning should have been affected. The reference to "suicide" will be underlined in most passages. The full citation is provided after each excerpt for those that want to see the entire section of the law.

This list is current as of September 30, 2010, although it does not contain references to several sections of statute that address suicide in the Texas Insurance Code or in the area of wills and estates, due to the complicated nature of those areas of law. Nor do we include references to the Texas Administrative Code (i.e., agency regulations) at this time, due to the length of the document.

The Texas Legislature will convene in January of 2011, and advocates should check to see if any of these sections of the law are amended during the legislative session.

Schools and School Personnel

What you should know: Public schools in Texas must have a “district improvement plan,” which may include strategies for suicide prevention. Advocates of suicide prevention should work with their school district’s local committees and stakeholders to ensure the district’s plan includes methods for addressing suicide prevention.

Texas law: Texas Education Code - District-Level Planning and Decision-Making
• Each school district shall have a district improvement plan that is developed, evaluated, and revised annually, in accordance with district policy, by the superintendent with the assistance of the district-level committee established under Section 11.251 [of the Education Code]. The purpose of the district improvement plan is to guide district and campus staff in the improvement of
student performance for all student groups in order to attain state standards in respect to the student achievement indicators adopted under Section 39.053 of the Education Code.

- The district improvement plan must include for strategies for improvement of student performance that include methods for addressing the needs of students for special programs, such as suicide prevention, conflict resolution, violence prevention, or dyslexia treatment programs.


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What you should know: School counselors should help ensure their school’s counseling programs and services integrate best practices in suicide prevention.

Texas law: Texas Education Code - Counselors
- The primary responsibility of a school counselor is to counsel students to fully develop each student's academic, career, personal, and social abilities.
- In addition to a school counselor's responsibility described above, the counselor shall participate in planning, implementing, and evaluating a comprehensive developmental guidance program to serve all students and to address the special needs of students who are at risk of dropping out of school, becoming substance abusers, participating in gang activity, or committing suicide.

  Tex. Education Code § 33.006 (a) and (b)

§25.0342 Transfer of Victims of Bullying:
- Defines bullying as “engaging in written or verbal expression or physical conduct that a school district board of trustees or the board’s designee determines: (1) will have the effect of physically harming a student, damaging a student’s property, or placing a student in reasonable fear of harm to the student’s person or of damage to the student’s property; or (2) is sufficiently severe, persistent, or pervasive enough that the action or threat creates an intimidating, threatening, or abusive educational environment for a student.”
- Parents/guardians may request that their child be transferred to another classroom or another school if their child is a victim of bullying. It is the responsibility of the board of trustees or the board’s designee to verify that the student has been a victim of bullying before the transfer may occur and “may consider past student behavior when identifying a bully.” School districts are not required to provide transportation to a student who transfers to another school.

§37.001 Student Code of Conduct: Student codes of conduct, developed by the district board of trustees, must be “posted and prominently displayed at each school” or be made available at the principal’s office. The code of conduct must:
• Specify circumstances under which a student may be removed from a classroom, school campus, or alternative education program;
• Specify conditions when a principal or administrator may transfer a student to an alternative education program;
• Outline conditions under which a student maybe suspended or expelled;
• Address parent/guardian notification of code violations that result in suspension, removal to a disciplinary alternative education program, or expulsion;
• “Prohibit bullying, harassment, and making hit lists and ensure that district employees enforce these prohibitions”; and
• Provide methods for classroom management, student discipline, and “preventing and intervening in student discipline problems, including bullying, harassment, and making hit lists.”

Defines “harassment” as “threatening to cause harm or bodily injury to another student, engaging in sexually intimidating conduct, causing physical damage to the property of another student, subjecting another student to physical confinement or restraint, or maliciously taking any action that substantially harms another student’s physical or emotional health or safety.”

**Youth and Family Services**

*What you should know:* A minor generally may seek and receive counseling services from a doctor or a mental health professional without the professional having to obtain consent from the minor’s parent or guardian, including counseling regarding suicide prevention. This assures youth they may seek confidential counseling in many situations.

**Texas law: Texas Family Code - Consent to Counseling**

• A child may consent to counseling for:
  • suicide prevention;
  • chemical addiction or dependency; or
  • sexual, physical, or emotional abuse.

• A licensed or certified physician, psychologist, counselor, or social worker having reasonable grounds to believe that a child has been sexually, physically, or emotionally abused, is contemplating suicide, or is suffering from a chemical or drug addiction or dependency may:
  • counsel the child without the consent of the child's parents or, if applicable, managing conservator or guardian;
  • with or without the consent of the child who is a client, advise the child's parents or, if applicable, managing conservator or guardian of the treatment given to or needed by the child; and
  • rely on the written statement of the child containing the grounds on which the child has capacity to consent to the child's own treatment under this section.

• Unless consent is obtained as otherwise allowed by law, a physician, psychologist, counselor, or social worker may not counsel a child if consent is prohibited by a court order.
• A physician, psychologist, counselor, or social worker counseling a child under this section is not liable for damages except for damages resulting from the person's negligence or willful misconduct.

• A parent, or, if applicable, managing conservator or guardian, who has not consented to counseling treatment of the child is not obligated to compensate a physician, psychologist, counselor, or social worker for counseling services rendered under this section.

Tex. Family Code § 32.004

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What you should know: The Texas state agency responsible for the public mental health system, the Department of State Health Services, must have a designated employee who will specialize in suicide prevention to liaison with public schools.

Texas law: Texas Health & Safety Code - Services for Children and Youth
• The department shall ensure the development of programs and the expansion of services at the community level for children with mental illness or mental retardation, or both, and for their families.

• The department shall designate an employee as a youth suicide prevention officer. The officer shall serve as a liaison to the Texas Education Agency and public schools on matters relating to the prevention of and response to suicide or attempted suicide by public school students.

Tex. Health & Safety Code § 533.040 (a) and (c)

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What you should know: The Department of State Health Services may be directed by the Texas Commissioner of Health and Human Services to monitor the quality of services provided through the Children’s Health Insurance Plan (CHIP), in part by measuring suicide attempts of enrolled youth. This requirement can help ensure health plans will be aware of the importance of suicide prevention activities and services.

Texas law: Texas Health & Safety Code - Texas Department of State Health Services
The Health and Human Services Commission may direct the Texas Department of State Health Services to monitor the quality of services delivered to enrollees through outcome measurements including the percent of adolescents reporting attempted suicide.


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What you should know: Child care facilities licensed by the Texas Department of Family and Protective Services (which includes child care facilities, residential facilities, foster homes, and other facilities) must report to the agency any attempted suicide by a child in a regulated facility.

Texas law: Texas Human Resources Code - Reporting of Incidents and Violations
In this section, "serious incident" means a suspected or actual incident that threatens or impairs the basic health, safety, or well being of a child. The term includes:
- the arrest, abuse, neglect, exploitation, running away, attempted suicide, or death of a child;
  - a critical injury of a child; and
  - an illness of a child that requires hospitalization.

- A person licensed under this chapter shall report to the department’s statewide intake system each serious incident involving a child who receives services from the person, regardless of whether the department is the managing conservator of the child.
- An employee or volunteer of a general residential operation, child-placing agency, foster home, or foster group home shall report any serious incident directly to the department if the incident involves a child under the care of the operation, agency, or home.
- A foster parent shall report any serious incident directly to the department if the incident involves a child under the care of the parent.

Tex. Human Resources Code § 42.063

Medical Services to Minors in the Conservatorship of the State

What you should know: A medical professional can provide care or services to a youth in the conservatorship of the state (i.e., a child in foster care) in emergency situations without having to obtain the usual consents in order to prevent a child from committing suicide.

Texas law: Texas Family Code - Provision of Medical Care in Emergency
- Consent or court authorization for the medical care of a foster child otherwise required by this chapter is not required in an emergency during which it is immediately necessary to provide medical care to the foster child to prevent the imminent probability of death or substantial bodily harm to the child or others, including circumstances in which:
  - the child is overtly or continually threatening or attempting to commit suicide or cause serious bodily harm to the child or others; or
  - the child is exhibiting the sudden onset of a medical condition manifesting itself by acute symptoms of sufficient severity, including severe pain, such that the absence of immediate medical attention
could reasonably be expected to result in placing the child's health in serious jeopardy, serious impairment of bodily functions, or serious dysfunction of any bodily organ or part.

- The physician providing the medical care or designee shall notify the person authorized to consent to medical care for a foster child about the decision to provide medical care without consent or court authorization in an emergency not later than the second business day after the date of the provision of medical care under this section. This notification must be documented in the foster child's health passport.

- This section does not apply to the administration of medication under Subchapter G, Chapter 574, Health and Safety Code, to a foster child who is at least 16 years of age and who is placed in an inpatient mental health facility.

Texas Family Code § 266.009 (a)-(c)

Providing Mental Health Services or Medication without Consent

*What you should know:* An individual can be ordered by a court to receive inpatient or outpatient mental health services if the court finds that the person may cause harm to him or herself without treatment.

*Texas law:* Texas Health & Safety Code - Court Ordered Mental Health Services

Note: This section of the Health & Safety Code contains extensive provisions regarding court-ordered mental health treatment which are too lengthy to be duplicated here. The following is one excerpt that outlines the standard for temporary inpatient court-ordered care.

- The judge may order a proposed patient to receive court-ordered temporary inpatient mental health services only if the judge or jury finds, from clear and convincing evidence, that the proposed patient is mentally ill and as a result of that mental illness the proposed patient:
  - is likely to cause serious harm to himself;
  - is likely to cause serious harm to others; or
  - is suffering severe and abnormal mental, emotional, or physical distress; experiencing substantial mental or physical deterioration of the proposed patient's ability to function independently, which is exhibited by the proposed patient's inability, except for reasons of indigence, to provide for the proposed patient's basic needs, including food, clothing, health, or safety; and unable to make a rational and informed decision as to whether or not to submit to treatment.

  Tex. Health & Safety Code Chapter 574
**What you should know:** A medical professional can administer psychoactive medication to an individual who is under court-ordered mental health services without the individual’s consent in certain emergency situations.

Texas Health & Safety Code - Administration of Medication to Patient under Court-Ordered Mental Health Services

- A person may not administer a psychoactive medication to a patient who refuses to take the medication voluntarily unless:
  - the patient is having a medication-related emergency*;
  - the patient is under an order issued under Section 574.106 authorizing the administration of the medication regardless of the patient's refusal; or
  - the patient is a ward who is 18 years of age or older and the guardian of the person of the ward consents to the administration of psychoactive medication regardless of the ward's expressed preferences regarding treatment with psychoactive medication.

Tex. Health & Safety Code § 574.103 (a) and (b)(1)-(3)

* A “medication emergency” means a situation in which it is immediately necessary to administer medication to a patient to prevent imminent probable death or substantial bodily harm to the patient because the patient overtly or continually is threatening or attempting to commit suicide or serious bodily harm.


**Note:** all uses of the phrase “medication-related emergency” in subchapter G of Chapter 574 of Tex. Health and Safety Code includes suicide prevention. See subsequent sections of Chapter 574 for procedures related to administration of medication without an individual’s consent.

Effect of Suicide Attempt on a Declaration for Mental Health Treatment

**What you should know:** Medical personnel can disregard an individual’s Declaration for Mental Health Treatment in emergency situations in order to prevent the individual from committing suicide.

Texas law: Texas Civil Practice & Remedies Code - Disregard of Declaration for Mental Health Treatment.

- A physician or other health care provider may subject the principal to mental health treatment in a manner contrary to the principal's wishes as expressed in a declaration for mental health treatment only:
if the principal is under an order for temporary or extended mental health services under Section 574.034 or 574.035, Health and Safety Code, and treatment is authorized in compliance with Section 574.106, Health and Safety Code; or

- in case of an emergency* when the principal's instructions have not been effective in reducing the severity of the behavior that has caused the emergency.

- A declaration for mental health treatment does not limit any authority provided by Chapter 573 or 574, Health and Safety Code:
  - to take a person into custody; or
  - to admit or retain a person in a mental health treatment facility.

- This section does not apply to the use of electroconvulsive treatment or other convulsive treatment.

  Tex. Civil Practice & Remedies Code Sec. 137.008.

*"Emergency" means a situation in which it is immediately necessary to treat a patient to prevent:

- probable imminent death or serious bodily injury to the patient because the patient:
  - overtly or continually is threatening or attempting to commit suicide or serious bodily injury to the patient; or
  - is behaving in a manner that indicates that the patient is unable to satisfy the patient's need for nourishment, essential medical care, or self-protection; or

- imminent physical or emotional harm to another because of threats, attempts, or other acts of the patient.

  Tex. Civil Practice & Remedies Code § 137.001 (4)

Note: Because this section of the law defines “emergency” to include situations where there is an attempt to treat a patient to prevent death by suicide, all uses of the word “emergency” in Tex. Civil Practice & Remedies Code Chapter 137 would include suicide prevention.

Effect on Employment for Person Convicted of the Offense of Aiding a Suicide

What you should know: A person who has been convicted of aiding a suicide may not be employed in certain state-regulated facilities, such as nursing homes, State Supported Living Centers, assisted living facilities, Home and Community Services Programs, local MHMR center programs, and others.

Texas law: Texas Health & Safety Code - Convictions Barring Employment

A person for whom the facility is entitled to obtain criminal history record information may not be employed in a facility if the person has been convicted of an offense under Section 22.08, Texas Penal Code (aiding suicide).
Texas Health & Safety Code § 250.006

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What you should know: A nurse’s license will be suspended if he or she has been convicted of aiding someone’s suicide.

Texas law: Texas Occupations Code - Required Suspension, Revocation, or Refusal of License for Certain Offenses
The board of nursing shall suspend a nurse's license or refuse to issue a license to an applicant on proof that the nurse or applicant has been initially convicted of aiding suicide under Section 22.08, Penal Code, and the offense was punished as a state jail felony.

Texas Occupations Code § 301.4535 (a)(9)

Public Safety/Criminal Justice

What you should know: The Texas Youth Commission must train juvenile correctional officers in suicide prevention.

Texas Law: Texas Human Resources Code - Juvenile Correctional Officers
The Texas Youth Commission shall provide each juvenile correctional officer employed by the commission with at least 300 hours of training, which must include on-the-job training, before the officer independently commences the officer's duties at the facility. The training must provide the officer with information and instruction related to the officer's duties, including information and instruction concerning the signs of suicide risks and suicide precautions.

Tex. Human Resources Code § 61.0356 (b)(4)

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What you should know: It is against the law to allow a child under 17 unsupervised access to a loaded firearm.

Texas Law: Texas Penal Code - Making a Firearm Accessible to a Child
- A person commits an offense if a child gains access to a readily dischargeable firearm and the person with criminal negligence:
  - failed to secure the firearm; or
  - left the firearm in a place to which the person knew or should have known the child would gain access.
- It is an affirmative defense to prosecution under this section that the child's access to the firearm:
  - was supervised by a person older than 18 years of age and was for hunting, sporting, or other lawful purposes;
  - consisted of lawful defense by the child of people or property;
o was gained by entering property in violation of this code; or
o occurred during a time when the actor was engaged in an agricultural enterprise.

- Except as provided by the subsection directly below, an offense under this section is a Class C misdemeanor.
- An offense under this section is a Class A misdemeanor if the child discharges the firearm and causes death or serious bodily injury to himself or another person.
- A peace officer or other person may not arrest the actor before the seventh day after the date on which the offense is committed if:
  o the actor is a member of the family, as defined by Section 71.003, Family Code, of the child who discharged the firearm; and
  o the child in discharging the firearm caused the death of or serious injury to the child.
- A dealer of firearms shall post in a conspicuous position on the premises where the dealer conducts business a sign that contains the following warning in block letters not less than one inch in height:
  "IT IS UNLAWFUL TO STORE, TRANSPORT, OR ABANDON AN UNSECURED FIREARM IN A PLACE WHERE CHILDREN ARE LIKELY TO BE AND CAN OBTAIN ACCESS TO THE FIREARM."

Texas Penal Code § 46.13

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What you should know: City or county jails may not be required to install fire sprinklers in jail facilities if a sheriff believes the sprinkler head might be used by an inmate in an attempt to commit suicide.

Texas law: Texas Government Code - Fire Sprinkler Head Inspection
- On the request of a sheriff, the Commission on Jail Standards shall inspect a facility to determine whether there are areas in the facility in which fire sprinkler heads should not be placed as a fire prevention measure. In making a decision under this section, the commission shall consider:
  o the numbers and types of inmates having access to the area;
  o the likelihood that an inmate will attempt to vandalize the fire sprinkler system or commit suicide by hanging from a sprinkler head; and
  o the suitability of other types of fire prevention and smoke dispersal devices available for use in the area.
- If the commission determines that fire sprinkler heads should not be placed in a particular area within a facility, neither a county fire marshal nor a municipal officer charged with enforcing ordinances related to fire safety may require the sheriff to install sprinkler heads in that area.

Tex. Government Code § 511.0097
What you should know: A person won’t be found guilty of certain crimes if the person was using force to prevent another person from committing suicide.

Texas law: Texas Penal Code - Protection of Life or Health

- A person is justified in using force, but not deadly force, against another when and to the degree he reasonably believes the force is immediately necessary to prevent the other from committing suicide or inflicting serious bodily injury to himself.

- A person is justified in using both force and deadly force against another when and to the degree he reasonably believes the force or deadly force is immediately necessary to preserve the other’s life in an emergency.

Texas Penal Code § 9.34

What you should know: It is against the law to aid or attempt to aid another person in committing suicide.

Texas law: Texas Penal Code - Aiding Suicide

- A person commits an offense if, with intent to promote or assist the commission of suicide by another, he aids or attempts to aid the other to commit or attempt to commit suicide.

- An offense under this section is a Class C misdemeanor unless the actor's conduct causes suicide or attempted suicide that results in serious bodily injury, in which event the offense is a state jail felony.

Tex. Penal Code § 22.08 (a) and (b)

Reports and Data

What you should know: The state Inspector General must report annually to a number of state executive and legislative officials the number of investigations in State Supported Living Centers (formerly called “State Schools”) that involve the suicide of a resident

Texas law: Texas Health & Safety Code - Annual Status Report

The inspector general shall prepare an annual status report of the inspector general's activities, which must include information that is aggregated and disaggregated by individual center regarding the number of investigations conducted that involve the suicide, death, or hospitalization of an alleged victim.

Tex. Health & Safety Code § 555.103 (a) and (b)(4)
What you should know: The Inspector General of the Texas Youth Commission (TYC) must report regularly to a number of state executive and legislative officials certain information, including the number of investigations they have conducted in TYC facilities that involve a youth’s suicide.

Texas law: Texas Human Resources Code - Office of Inspector General

- The chief inspector general shall on a quarterly basis prepare and deliver a report concerning the operations of the office of inspector general.
- A report prepared under this section is public information under Chapter 552, Government Code (i.e., “Open Records”), to the extent authorized under that chapter and other law, and the commission shall publish the report on the commission's Internet website. A report must be both aggregated and disaggregated by individual facility and include information relating to:
  - the number of investigations conducted concerning sui
cides, deaths, and hospitalizations of children in the custody of the commission.

  Tex. Human Resources Code § 61.0451 (g) and (h)(3)

What you should know: Certain entities or agencies may share information about suicides with each other.

Texas law: Texas Health & Safety Code - Memorandum of Understanding on Suicide Data

- In this section, "authorized entity" means a medical examiner, a local registrar, a local health authority, a local mental health authority, a community mental health center, a mental health center that acts as a collection agent for the suicide data reported by community mental health centers, or any other political subdivision of this state.
- An authorized entity may enter into a memorandum of understanding with another authorized entity to share suicide data that does not name a deceased individual. The shared data may include:
  - the deceased individual's date of birth, race or national origin, gender, and zip code of residence;
  - any school or college the deceased individual was attending at the time of death;
  - the suicide method used by the deceased individual;
  - the deceased individual's status as a veteran or member of the armed services; and
  - the date of the deceased individual's death.
- The suicide data an authorized entity receives or provides under the above provisions is not confidential.
• An authorized entity that receives suicide data under a memorandum of understanding authorized by this section may periodically release suicide data that does not name a deceased individual to an agency or organization with recognized expertise in suicide prevention. The agency or organization may use suicide data received by the agency or organization under this subsection only for suicide prevention purposes.

• An authorized entity or an employee or agent of an authorized entity is not civilly or criminally liable for receiving or providing suicide data that does not name a deceased individual and that may be shared under a memorandum of understanding authorized by this section.

• This section does not prohibit the sharing of data as authorized by other law.

Texas Health & Safety Code § 193.011

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What you should know: The law authorizes Texas counties to establish “fatality review teams” to investigate unexpected deaths, which include deaths by suicide, and to use the information gathered from the investigations to engage in activities to prevent such deaths in the future – including “advising the legislature, appropriate state agencies, and local law enforcement agencies on changes to law, policy, or practice that will reduce the number of unexpected deaths.”

Texas law: Texas Health & Safety Code - Definitions
"Unexpected death" includes a death of an adult that before investigation appears:
• to have occurred without anticipation or forewarning; and
• to have been caused by suicide, family violence, or abuse.

Note: Because the definition of “unexpected death” includes suicide, all uses of the phrase “unexpected death” in this section of the Code, below, also include suicide.

Establishment of Review Team
• A multidisciplinary and multiagency unexpected fatality review team may be established for a county to conduct reviews of unexpected deaths that occur within the county. A review team for a county with a population of less than 50,000 may join with an adjacent county or counties to establish a combined review team.

• The commissioners’ court of a county may oversee the activities of the review team or may designate a county department to oversee those activities. The commissioners court may designate a nonprofit agency or a political subdivision of the state involved in the support or treatment of victims of family violence, abuse, or suicide to oversee the activities of the review team if the governing body of the nonprofit agency or political subdivision concurs.
Members selected under this section should have experience in abuse, neglect, suicide, family violence, or elder abuse.

**Purpose and Powers of Review Team**

- The purpose of a review team is to decrease the incidence of preventable adult deaths by:
  - promoting cooperation, communication, and coordination among agencies involved in responding to unexpected deaths;
  - developing an understanding of the causes and incidence of unexpected deaths in the county or counties in which the review team is located; and
  - advising the legislature, appropriate state agencies, and local law enforcement agencies on changes to law, policy, or practice that will reduce the number of unexpected deaths.

- To achieve its purpose [to decrease the incidence of preventable adult deaths], a review team shall:
  - meet on a regular basis to review fatality cases suspected to have resulted from suicide, family violence, or abuse and recommend methods to improve coordination of services and investigations between agencies that are represented on the team.

**Duties of Presiding Officer**

The presiding officer of a review team may send notices to the review team members of a meeting to review a fatality involving suspected suicide, family violence, or abuse.

**Access to Information**

- A review team may request information and records regarding adult deaths resulting from suicide, family violence, or abuse as necessary to carry out the review team's purpose and duties. Records and information that may be requested under this section include:
  - medical, dental, and mental health care information; and
  - information and records maintained by any state or local government agency, including:
    - a birth certificate;
    - law enforcement investigative data;
    - medical examiner investigative data;
    - juvenile court records;
    - parole and probation information and records; and
    - adult protective services information and records.

**Meeting of Review Team**

This section does not prohibit a review team from requesting the attendance at a closed meeting of a person who is not a member of the review team and who has information regarding a fatality resulting from suicide, family violence, or abuse.
Report of Unexpected Fatality
A person, including a health care provider, who knows of the death of an adult that resulted from, or that occurred under circumstances indicating death may have resulted from suicide, family violence, or abuse shall immediately report the death to the medical examiner of the county in which the death occurred or, if the death occurred in a county that does not have a medical examiner's office or that is not part of a medical examiner's district, to a justice of the peace in that county.

Procedure in the Event of Reportable Death
- A medical examiner or justice of the peace notified of a death under the above provision may hold an inquest under Chapter 49, Code of Criminal Procedure, to determine whether the death was caused by suicide, family violence, or abuse.
- Without regard to whether an inquest is held, the medical examiner or justice of the peace shall immediately notify the county or entity designated by the commissioner's court of:
  - each notification of death received under Section 672.012 (report of unexpected fatality);
  - each death found to be caused by suicide, family violence, or abuse; or
  - each death that may be a result of suicide, family violence, or abuse, without regard to whether the suspected suicide, family violence, or abuse is determined to be a sole or contributing cause and without regard to whether the cause of death is conclusively determined.

What you should know:
A medical examiner’s office must hold an inquest into the death of a person who dies in the county if the person commits suicide or the circumstances of the death indicate that the death may have been caused by suicide, and the death certificate must state if the cause of death was suicide.

Texas law: Texas Code of Criminal Procedure - Medical Examiners/Death Investigations
Any medical examiner, or his duly authorized deputy, shall be authorized, and it shall be his duty, to hold inquests with or without a jury within his county when any person commits suicide, or the circumstances of his death are such as to lead to suspicion that he committed suicide.

What you should know: In counties that do not have a medical examiner, a justice of the peace shall conduct an inquest into the death of a person who dies in the county.
if the person commits suicide or the circumstances of the death indicate that the
death may have been caused by suicide

Texas law: Texas Code of Criminal Procedure - Deaths Requiring an
Inquest
A justice of the peace shall conduct an inquest into the death of a person who dies
in the county served by the justice if the person commits suicide or the
circumstances of the death indicate that the death may have been caused by
suicide.

Tex. Code of Criminal Procedure Art. 49.04 (a)(5)

Texas law: Texas Health & Safety Code - Personal Information
A person conducting an inquest required by Chapter 49, Code of Criminal
Procedure, shall complete the medical certification not later than five days after
receiving the death or fetal death certificate; and state on the medical certification
the disease that caused the death or, if the death was from external causes, the
means of death and whether the death was probably accidental, suicidal, or
homicidal, and any other information required by the state registrar to properly
classify the death.

Tex. Health & Safety Code § 193.005(e)(1) and (2)

Public Safety Emergency Response Systems

What you should know: 9-1-1 systems may be used to transmit requests for suicide
prevention services.

Texas law: Texas Health & Safety Code - Transmitting Requests for
Emergency Aid
A 9-1-1 system must be capable of transmitting requests for fire-fighting, law
enforcement, ambulance, and medical services to a public safety agency or
agencies that provide the requested service at the place from which the call
originates. A 9-1-1 system may also provide for transmitting requests for other
emergency services, such as poison control, suicide prevention, and civil defense,
with the approval of the board and the consent of the participating jurisdiction.

Tex. Health & Safety Code § 772.112, .212, and .312

Effect of Suicide in a Civil Action or Lawsuit

What you should know: A defendant in a civil lawsuit may be not liable for damages
in the lawsuit in certain situations if the person suing (i.e., the plaintiff) was
committing or attempting to commit suicide and suicide (or the attempt) caused the
damages/injury.

It is an affirmative defense to a civil action for damages for personal injury or death that the plaintiff, at the time the cause of action arose, was:

- committing a felony, for which the plaintiff has been finally convicted, that was the sole cause of the damages sustained by the plaintiff; or

- committing or attempting to commit suicide, and the plaintiff’s conduct in committing or attempting to commit suicide was the sole cause of the damages sustained; provided, however, if the suicide or attempted suicide was caused in whole or in part by a failure on the part of any defendant to comply with an applicable legal standard, then such suicide or attempted suicide shall not be a defense.

**Note:** The above does not apply in any action brought by an employee, or the surviving beneficiaries of an employee, under the Worker’s Compensation Law of Texas, or in an action against an insurer based on a contract of insurance, a statute, or common law. In an action to which it does apply, this section of the law will prevail over any other law.

Tex. Civil Practice & Remedies Code § 93.001

Effect of Suicide on Property Transactions

*What you should know:* A real estate broker or salesperson does not have to reveal information about whether any person who lived on the property they are brokering committed suicide.

Texas law: Texas Occupations Code - Disclosure of Certain Information Relating to Occupants

A license holder is not required to inquire about, disclose, or release information relating to whether:

- a previous or current occupant of real property had, may have had, has, or may have AIDS, an HIV-related illness, or an HIV infection as defined by the Centers for Disease Control and Prevention of the United States Public Health Service; or

- a death occurred on a property by natural causes, suicide, or accident unrelated to the condition of the property.

Tex. Occupations Code § 1101.556

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*What you should know:* A person attempting to sell property does not have to reveal information about whether any person who lived on the property they are brokering committed suicide.
Texas law: Texas Property Code - Seller's Disclosure of Property Condition
A seller or seller's agent shall have no duty to make a disclosure or release information related to whether a death by natural causes, suicide, or accident unrelated to the condition of the property occurred on the property or whether a previous occupant had, may have had, has, or may have AIDS, HIV-related illnesses, or HIV infection.

Tex. Property Code § 5.008 (c)

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