

ing agreement provided for in Section 73.405
ations may be for any further construction
Center; for equipment, both fixed and
ata processing and communications; for
and additions; for any damage or destruc-
arris County Psychiatric Center; provided,
arris County Psychiatric Center operations,
exceed 85 percent of the total operating
sychiatric Center, exclusive of any costs of

nd/or sublease and operating agreement
System is the lessee, for the county-sup-
facilities and operations of the Harris
ay be provided through county appropri-
ble by the Harris County Mental Health
or from gifts and grants, shall be transfer-
nd/or sublease and operating agreement
if code. Such funds may be for any
ounty Psychiatric Center; for equipment,
s, including data processing and commu-
s, renovations, and additions; for any
arris County Psychiatric Center operations
tional to the total costs of The University
tire Harris County Psychiatric Center,
arris County and/or MHMRA operating
s shall remain the sole responsibility of

§ 1, eff. Sept. 1, 1985.

f the Harris County Psychiatric Center
administered by The University of Texas
d operating agreement. The county-sup-
a. lies, exclusive of the commitment
ed by The University of Texas System in
operating agreement. Any lease and/or
all provide for a lease payment by The
e than \$1 per year plus other good and
r in Section 73.406 of this code.

nd operating agreement, the board of
tem shall be the governing board of the
lities that are leased and/or subleased
as System.

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legal matters, Harris County Psychiatric Center administration, staffing, pa-
tient services, reports, annual operating budgets of the Harris County Psychi-
atric Center, and transfers of appropriated funds as provided for in Section
73.404 of this code.

(d) Any lease and/or sublease and operating agreement shall provide that
The University of Texas System shall cause the Harris County Psychiatric
Center to be operated in accordance with the standards for accreditation of
the Joint Commission on Accreditation of Hospitals; that all financial trans-
actions and performance programs may be appropriately audited; that an
admission, discharge, and transfer coordination policy be established; that
appropriate patient data be made available to the department, MHMRA, and
the county, including but not limited to diagnosis and lengths of stay; and
that a priority of patient treatment policy be established.

Added by Acts 1985, 69th Leg., ch. 848, § 1, eff. Sept. 1, 1985.

§ 73.406. Revenues

That portion of any revenues related to the provision of patient services
through the operation of the Harris County Psychiatric Center facilities that
are leased and/or subleased by and to The University of Texas System shall
be accounted for and expended in accordance with the rules, regulations, and
bylaws of The University of Texas System and in such manner that such
revenues will reduce appropriated and funded requirements by both the state
and county or MHMRA on a prorated basis, all as may be provided for in a
lease and/or sublease and operating agreement.

Added by Acts 1985, 69th Leg., ch. 848, § 1, eff. Sept. 1 1985.

SUBCHAPTER H. RESEARCH INSTITUTE

§ 73.501. Transfer and Lease of Facilities

(a) The governance, operation, management, and control of the Texas
Research Institute of Mental Sciences created by Chapter 427, Acts of the 55th
Legislature, Regular Session, 1957, as amended (Article 3174b-4, Vernon's
Texas Civil Statutes), and all land, buildings, improvements thereon, and
major fixed equipment comprising said institute shall be leased from the
Texas Department of Mental Health and Mental Retardation and transferred
to the board of regents of The University of Texas System for \$1 a year and
shall be subject to the provisions of Subdivision (9) of Subsection (a) of
Section 65.02 of the Education Code.

(b) All land, buildings, and improvements thereon and major fixed equip-
ment comprising said institute leased by The University of Texas System shall

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be utilized only for purposes of patient care services, research, and education related to mental health and mental retardation. The Texas Department of Mental Health and Mental Retardation may sell or otherwise dispose of the land, buildings, improvements thereon, or major fixed equipment provided that the proceeds from the sale or other disposition shall be used for the same purposes in Harris County; and further provided, that the board of regents of The University of Texas System, prior to such sale or other disposition, has approved of such sale or disposition and the allocation of proceeds.

Added by Acts 1985, 69th Leg., ch. 848, § 1, eff. Sept. 1, 1985.

Library References

Colleges and Universities §3, 6(1).
Mental Health §20.
WESTLAW Topic Nos. 81, 257A.

C.J.S. Colleges and Universities §§ 4, 5, 10.
C.J.S. Insane Persons § 3.

§ 73.502. Transfer of Gifts, Grants, Unexpended Balances, Contracts, and Obligations

Any gifts, grants, unexpended balances of appropriated or unappropriated funds, and all movable equipment held by the Texas Department of Mental Health and Mental Retardation for, on behalf of, or for the use and benefit of the Texas Research Institute of Mental Sciences are hereby transferred to The University of Texas System; provided, however, that all previously appropriated funds for statewide training of department personnel and program evaluation by the institute shall be retained by the department. All contracts and written obligations of every kind and character entered into by the Texas Department of Mental Health and Mental Retardation for and on behalf of the Texas Research Institute of Mental Sciences are ratified, confirmed, and validated, and in all such contracts and written obligations, the board of regents of The University of Texas System is substituted in lieu and shall stand and act in place and stead of the Texas Department of Mental Health and Mental Retardation; provided, however, that an advisory committee shall be established with regard to research protocols and the commissioner of the department shall be a member; provided further, that The University of Texas System may contract with the department for continued extramural and other laboratory consultative services. The Texas Department of Mental Health and Mental Retardation, Harris County, and the Mental Health and Mental Retardation Authority of Harris County shall provide for the continuity of inpatient and outpatient care of the patients and programs operated at the Texas Research Institute of Mental Sciences and may contract for the provision of such services in accordance with the provisions of and appropriations provided in the General Appropriations Act.

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and Mental Retardation Authority of Harris consideration for such employment.

(b) If employed by The University of Texas Research Institute of Mental Sciences is transferred to the University of Texas System, employees of the institute who become members of the University of Texas System shall become members of the Employees Retirement System of the University of Texas, if they are otherwise eligible under the Employees Retirement System to the Teachers Retirement System, and all their service and salary credit shall be transferred to the Teachers Retirement System under Subsections (c) and (d) of this section.

(c) Service of those employees that was covered by the Teacher Retirement System before the transfer shall thereafter be covered by the Teacher Retirement System. Credit in the Teacher Retirement System pertaining to membership, member contributions, and reinstatement shall apply to service occurring before the transfer. The contribution rate for such service shall be that in effect in the Employees Retirement System. Member contributions from the Employees Retirement System may be transferred to the Teacher Retirement System only subject to the laws and regulations governing the Teachers Retirement System and the credit in the Teacher Retirement System.

(d) Military service credit already established in the Teacher Retirement System will be credited by the Teacher Retirement System to the employee's service credit, excluding military service credit. The employee's service credit, excluding military service credit, in the Teacher Retirement System consists of at least 10 years. If the employee is transferred under Subsection (e) of this section, the employee's savings account of the employee and refunded if the employee is on a disability benefit before obtaining 10 years of service in the Teacher Retirement System, including military service credit, shall be transferred to the Teacher Retirement System, and may not receive duplicate credit.

(e) When credit is transferred pursuant to this section, as possible, the Employees Retirement System shall be transferred to the Teachers Retirement System the following:

(1) all amounts in the individual member account in the Teachers Retirement System of employees described in this section and any member contributions subsequently received for service before the date of transfer; and

(2) an amount from the state accumulation fund of the Employees Retirement System to the Teachers Retirement System for the service credit under this section will be transferred to the Teachers Retirement System for the period required to amortize the unfunded liability.