Texas Association of Behavioral Health Systems

Only in Texas:
A Court Bill Before a Psychiatric Bed

The Data

49
States don't send these court costs to hospitals.

1
One state passes the costs on to hospitals: Texas.

$67K
One Houston hospital's costs per month tied to court costs.

$23K
The average monthly cost at one Texas hospital serving rural counties.

Texas is the *only state in the nation* that allows counties to charge community psychiatric hospitals and general acute care hospitals for court fees related to providing inpatient psychiatric care. More than 220 counties do not charge these fees to hospitals, and these costs are considered part of running the court. However, in the increasing number of counties that force hospitals to pay court costs, patient care is often delayed.

Charging these court costs to hospitals is not just "a cost of doing business"- it is a roadblock. Counties that charge these court costs will not move a patient's case forward until the payment clears. Some counties require the hospital to appear in person only during business hours with payment - while patients in crisis wait days in limbo. Furthermore, counties can charge hospitals an unlimited amount, which can exceed $1,000 for a single hospital stay.

Texas Passed a Partial Fix in 2023. Many Counties Ignore Even That.

In 2023 the Texas Legislature passed HB 4085, which required courts that charge court fees to provide refunds to hospitals that file an affidavit showing the patient was uninsured, indigent, treated under a local mental health authority contract, or eligible for Medicaid. Attorney General Opinion KP-0460 confirmed that the refund covers filing fees and other court costs, not just commitment hearings.

Even worse, many counties that do charge court fees aren't even complying with this limited law. Rather than issue the refunds required under HB 4085, they find excuses or create barriers to avoid issuing them to hospitals, making these hospitals—which provide critical psychiatric care in their communities—a cash cow for counties.

Texas Has a Mental Health Crisis: Remove the Court Cost Roadblock

Texas must prohibit counties from using hospitals as a cash cow for patients in crisis who need inpatient psychiatric treatment – just like the 49 other states.

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Same Law, Different Rules: A Look Across Texas

Wichita County

County officials responded quickly and worked hand in hand with hospitals to bring the county into compliance with HB 4085. As a result, Wichita County reimburses hospitals for court costs tied to Medicaid and uninsured patients.

Parker County

County officials reimburse hospitals for court costs tied to Medicaid and uninsured patients.

Tarrant County

County passes court costs for Medicaid and uninsured patients along to hospitals. One hospital reports $360 per filing — roughly $12,000 every month.

Dallas County

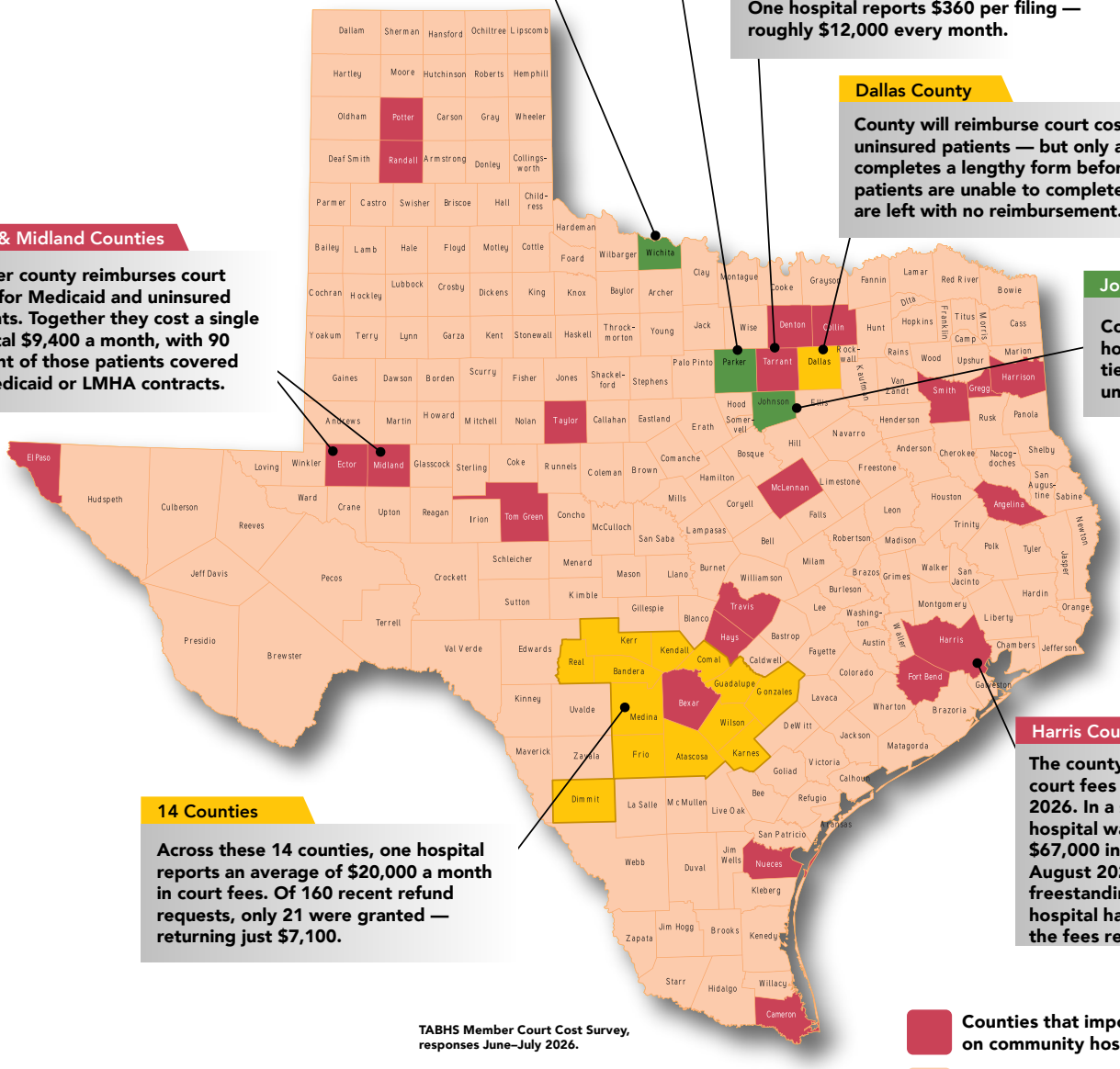
County will reimburse court costs for Medicaid and uninsured patients — but only after the patient completes a lengthy form before discharge. Many patients are unable to complete it, and hospitals are left with no reimbursement.

Ector & Midland Counties

Neither county reimburses court costs for Medicaid and uninsured patients. Together they cost a single hospital $9,400 a month, with 90 percent of those patients covered by Medicaid or LMHA contracts.

Johnson County

County officials reimburse hospitals for court costs tied to Medicaid and uninsured patients.



14 Counties

Across these 14 counties, one hospital reports an average of $20,000 a month in court fees. Of 160 recent refund requests, only 21 were granted — returning just $7,100.

Harris County

The county chose to start imposing court fees on hospitals in May 2026. In a single month, one hospital was charged more than $67,000 in court fees. As of August 2026, no private, freestanding behavioral health hospital has received a refund of the fees required under HB 4085.

TABHS Member Court Cost Survey, responses June–July 2026.

Counties that impose court costs on community hospitals.

County does not impose court costs on hospitals (August 2026 data).

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