



**In The  
Court of Appeals  
Sixth Appellate District of Texas at Texarkana**

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No. 06-15-00029-CV

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THE STATE OF TEXAS FOR THE BEST INTEREST AND PROTECTION OF L.A.

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On Appeal from the County Court  
Hopkins County, Texas  
Trial Court No. M15-00051

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Before Morriss, C.J., Moseley and Burgess, JJ.  
Memorandum Opinion by Chief Justice Morriss

## MEMORANDUM OPINION

In this accelerated appeal, L.A. complains of an order requiring the administration of psychoactive medication, following his commitment to Terrell State Hospital for a period not to exceed ninety days. In a companion case issued of even date herewith,<sup>1</sup> this Court determined that, because only one statutorily compliant medical certificate was on file at the time of the commitment hearing, the trial court erred in conducting the hearing. *See* TEX. HEALTH & SAFETY CODE ANN. § 574.009(d) (West 2010). We therefore reversed the trial court’s temporary inpatient mental health services order and rendered judgment ordering L.A.’s immediate release.

In this case, L.A. complains of the order to administer psychoactive medication. The court may enter an order authorizing the administration of psychoactive medication if the patient is under “a court order to receive inpatient mental health services” and the trial court finds, by clear and convincing evidence, “that the patient lacks the capacity to make a decision regarding the administration of the proposed medication and treatment with the proposed medication is in the best interest of the patient.” TEX. HEALTH & SAFETY CODE ANN. § 574.106(a), (a-1)(1) (West 2010). Because we have concluded in our companion case that the trial court’s order requiring L.A. to receive temporary inpatient mental health services is invalid, the order authorizing administration of psychoactive medication is likewise invalid. *See id.*

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<sup>1</sup>*The State of Texas for the Best Interest and Protection of L.A.*, cause number 06-15-00028-CV.

We reverse the order for administration of psychoactive medication, effective immediately. Our mandate will issue immediately upon motion, should appropriate action not be taken in accordance with this opinion.

Josh R. Morriss, III  
Chief Justice

Date Submitted: July 6, 2015  
Date Decided: July 17, 2015