



322884

LEGISLATIVE ACTION

Senate

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House

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The Committee on Judiciary (Bean) recommended the following:

**Senate Substitute for Amendment (817182)**

Delete lines 1930 - 1963

and insert:

(f) An individual held for examination ~~A patient~~ shall be examined by a physician, a ~~or~~ clinical psychologist, or a psychiatric nurse performing within the framework of an established protocol with a psychiatrist at a receiving facility without unnecessary delay and may, upon the order of a physician, be given emergency mental health or substance abuse treatment if it is determined that such treatment is necessary



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12 for the safety of the individual patient or others. ~~The patient~~  
13 ~~may not be released by the receiving facility or its contractor~~  
14 ~~without the documented approval of a psychiatrist, a clinical~~  
15 ~~psychologist, or, if the receiving facility is a hospital, the~~  
16 ~~release may also be approved by an attending emergency~~  
17 ~~department physician with experience in the diagnosis and~~  
18 ~~treatment of mental and nervous disorders and after completion~~  
19 ~~of an involuntary examination pursuant to this subsection.~~  
20 ~~However, a patient may not be held in a receiving facility for~~  
21 ~~involuntary examination longer than 72 hours.~~

22 (g) An individual may not be held for involuntary  
23 examination for more than 72 hours from the time of the  
24 individual's arrival at the facility, except that this period  
25 may be extended by 48 hours if a physician documents in the  
26 clinical record that the individual has ongoing symptoms of  
27 substance intoxication or substance withdrawal and the  
28 individual would likely experience significant clinical benefit  
29 from detoxification services. This determination must be made  
30 based on a face-to-face examination conducted by the physician  
31 no less than 48 hours and not more than 72 hours after the  
32 individual's arrival at the facility. Based on the individual's  
33 needs, one of the following actions must be taken within the  
34 involuntary examination period:

35 1. The individual shall be released after consultation with  
36 the admitting professional and the approval of a psychiatrist,  
37 psychiatric nurse, psychologist, or substance abuse  
38 professional. However, if the examination is conducted in a  
39 hospital, an emergency department physician may approve the  
40 release or a psychiatric nurse performing within the framework



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41 of an established protocol with a psychiatrist may also approve  
42 the release, except when the involuntary examination has been  
43 initiated by a psychiatrist and the release has not also been  
44 approved by the initiating psychiatrist. If the examination is  
45 conducted in an addictions receiving facility or detoxification  
46 facility, a physician or substance abuse professional may  
47 approve the release. The