

AMENDMENTS TO HOUSE BILL NO. 672

Sponsor: REPRESENTATIVE SCHLOSSBERG

Printer's No. 685

1 Amend Bill, page 7, by inserting between lines 1 and 2

2 (6) At the time of admission, the director of the admitting
3 facility or a designee of the director shall provide the minor
4 with an explanation of the nature of the mental health treatment
5 in which the minor may be involved together with a statement of
6 the minor's rights, including the right to object to treatment
7 by filing a petition with the court. If a minor wishes to
8 exercise this right, the director of the facility or a designee
9 of the director shall provide a form for the minor to provide
10 notice of the request for modification or withdrawal from
11 treatment. The director of the facility or a designee of the
12 director shall file the signed petition with the court.

13 (7) A minor fourteen years of age or older and under
14 eighteen years of age who has been confined for inpatient
15 treatment on the consent of a parent or legal guardian and who
16 objects to continued inpatient treatment may file a petition in
17 the court of common pleas requesting a withdrawal from or
18 modification of treatment. The court shall promptly appoint an
19 attorney for the minor and schedule a hearing to be held within
20 seventy-two hours following the filing of the petition, unless
21 continued upon the request of the attorney for the minor, by a
22 judge or mental health review officer who shall determine
23 whether or not the voluntary mental health treatment is in the
24 best interest of the minor. For inpatient treatment to continue
25 against the minor's wishes, the court must find all of the
26 following by clear and convincing evidence:

27 (i) that the minor has a diagnosed mental disorder;
28 (ii) that the disorder is treatable;
29 (iii) that the disorder can be treated in the particular
30 facility where the treatment is taking place; and
31 (iv) that the proposed inpatient treatment setting
32 represents the least restrictive alternative that is medically
33 appropriate.