

LEGISLATIVE REFERENCE BUREAU

L.R.B. Form No. 4 (Rev. 3/25/10)

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No. _____

LEGISLATIVE REFERENCE BUREAU

AN ACT

Amending the act of July 9, 1976 (P.L.817, No.143), known as the Mental Health Procedures Act, further providing for involuntary emergency examination and treatment authorized by a physician.

INTRODUCED _____ 20 _____

By _____ District NO. _____

By _____ District NO. _____

By _____ District NO. _____

By _____ District NO. _____

See next page for additional co-sponsors.

Referred to Committee on

Date _____ 20 _____

Reported _____ 20 _____

As Committed-Amended

Recommendation

By Hon. _____

AN ACT

1 Amending the act of July 9, 1976 (P.L.817, No.143), entitled "An
2 act relating to mental health procedures; providing for the
3 treatment and rights of mentally disabled persons, for
4 voluntary and involuntary examination and treatment and for
5 determinations affecting those charged with crime or under
6 sentence," further providing for involuntary emergency
7 examination and treatment authorized by a physician.

8 The General Assembly of the Commonwealth of Pennsylvania
9 hereby enacts as follows:

10 Section 1. Section 302(c) of the act of July 9, 1976
11 (P.L.817, No.143), known as the Mental Health Procedures Act, is
12 amended and the section is amended by adding a subsection to
13 read:

14 Section 302. Involuntary Emergency Examination and Treatment
15 Authorized by a Physician - Not to Exceed One Hundred Twenty
16 Hours.--* * *

17 (c) Notification of Rights at Emergency Examination.--Upon
18 arrival at the facility, the person shall be informed of the
19 reasons for emergency examination and of his right to
20 communicate immediately with others. He shall be given

1 reasonable use of the telephone. He shall be requested to
2 furnish the names of parties whom he may want notified of his
3 custody and kept informed of his status. The county
4 administrator or the director of the facility shall:

5 (1) give notice to such parties of the whereabouts and
6 status of the person, how and when he may be contacted and
7 visited, and how they may obtain information concerning him
8 while he is in inpatient treatment; [and]

9 (1.1) notwithstanding section 111, inform the person's next
10 of kin that his relative has entered the facility for emergency
11 evaluation and treatment; and

12 (2) take reasonable steps to assure that while the person is
13 detained, the health and safety needs of any of his dependents
14 are met, and that his personal property and the premises he
15 occupies are secure.

16 * * *

17 (e) Definition.--As used in this section, the term "next of
18 kin" means the spouse and relatives by blood, including, but not
19 limited to, parents and guardians, as long as the person is an
20 adult or an emancipated minor.

21 Section 2. This act shall take effect in 60 days.