

HOUSE RESEARCH

Bill Summary

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Overview

This bill modifies the voluntary admission and treatment standards and emergency hold provisions in the Civil Commitment Act.

Section

1 Voluntary admission and treatment. Amends § 253B.04, subd. 1. Provides that a person is not subject to civil commitment if the person is voluntarily accepting treatment for a mental illness and if the person:

- ▶ has given informed consent or, if lacking capacity, is a person for whom legally valid consent has been given; and
- ▶ is accepting a medically reasonable course of treatment.

Permits the court to commit a person if the court finds, based on the person's recent history, it is unlikely the person will remain in and cooperate with treatment absent commitment. Specifies circumstances in which this paragraph does not apply. Also specifies how legally valid substitute consent may be provided.

2 Duration of hold. Amends § 253B.05, subd. 3. Requires a facility to release a person under a 72-hour emergency hold within 72 hours unless a court order to hold the person is obtained. Also prohibits the issuance of consecutive emergency hold orders under this section.