



HB 1045

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A bill to be entitled  
An act relating to the Baker Act; amending s. 394.463,  
F.S.; providing that a patient received in an emergency  
department may be examined by an attending emergency  
department physician rather than by a psychiatrist or  
clinical psychologist; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Paragraph (f) of subsection (2) of section  
394.463, Florida Statutes, is amended to read:

394.463 Involuntary examination.--

(2) INVOLUNTARY EXAMINATION.--

(f) A patient shall be examined by a physician or clinical  
psychologist at a receiving facility without unnecessary delay  
and may, upon the order of a physician, be given emergency  
treatment if it is determined that such treatment is necessary  
for the safety of the patient or others. The patient shall not  
be released by the receiving facility or its contractor without  
the documented approval of a psychiatrist, ~~or~~ clinical  
psychologist, or, where the receiving facility is a hospital  
emergency department, attending emergency department physician.  
However, a patient may not be held in a receiving facility for  
involuntary examination longer than 72 hours.

Section 2. This act shall take effect upon becoming a law.