

By Senator Lynn

7-550-03

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A bill to be entitled  
An act relating to involuntary commitment under  
the Baker Act; amending s. 394.463, F.S.;  
providing that a patient admitted for  
involuntary examination to a hospital emergency  
department may not be released without the  
approval of the emergency department physician;  
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 may ~~shall~~ not be released by the  
receiving facility or its contractor without the documented  
approval of a psychiatrist, a ~~or~~ clinical psychologist, or, if  
the receiving facility is a hospital emergency department, the  
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.

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SENATE SUMMARY

Provides that a patient admitted to a hospital emergency department for involuntary examination under the Baker Act may not be released without the approval of the emergency department physician.