

ENROLLED

2003 Legislature CS for CS for SB 340, 1st Engrossed (ntc)

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2 An act relating to involuntary commitment under  
3 the Baker Act; amending s. 394.463, F.S.;  
4 providing that a patient admitted for  
5 involuntary examination to a hospital may not  
6 be released without the approval of the  
7 emergency department physician and completion  
8 of an involuntary examination; providing an  
9 effective date.

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

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13 Section 1. Paragraph (f) of subsection (2) of section  
14 394.463, Florida Statutes, is amended to read:

15 394.463 Involuntary examination.--

16 (2) INVOLUNTARY EXAMINATION.--

17 (f) A patient shall be examined by a physician or  
18 clinical psychologist at a receiving facility without  
19 unnecessary delay and may, upon the order of a physician, be  
20 given emergency treatment if it is determined that such  
21 treatment is necessary for the safety of the patient or  
22 others. The patient may ~~shall~~ not be released by the  
23 receiving facility or its contractor without the documented  
24 approval of a psychiatrist, a or clinical psychologist, or, if  
25 the receiving facility is a hospital, the release may also be  
26 approved by an attending emergency department physician with  
27 experience in the diagnosis and treatment of mental and  
28 nervous disorders and after completion of an involuntary  
29 examination pursuant to s. 394.463(2). However, a patient may  
30 not be held in a receiving facility for involuntary  
31 examination longer than 72 hours.

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