State of South Dakota

625C0433   **HOUSE HEALTH AND HUMAN SERVICES**

COMMITTEE ENGROSSED NO. HB1130 -

2/4/99

This bill has been extensively amended (hoghoused) and may no longer be consistent with the original intention of the sponsors.

Introduced by: Representatives Michels, Diedtrich (Elmer), Fischer-Clemens, Sutton (Duane), and Wilson and Senators Albers and Bogue

1   FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the involuntary

2   commitment of certain mentally ill persons.

3   BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4   Section 1. That chapter 27A-10 be amended by adding thereto a NEW SECTION to read

5   as follows:

6   If any person presents to a facility licensed by the state as a hospital, other than the Human

7   Services Center, and after an examination by a qualified mental health professional it is

8   determined that the person is severely mentally ill and in such condition that immediate

9   intervention is necessary to protect the person from physical harm to self or others, the qualified

10   mental health professional may initiate a twenty-four hour hold on the person and retain the

11   person at the hospital for purposes of observation and emergency treatment. The hospital or the

12   qualified mental health professional shall notify the chair of the county board of mental illness

13   of the twenty-four hour hold. The qualified mental health professional shall petition for

14   commitment of the person according to §§ 27A-10-1 and 27A-10-4. The person shall be

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Insertions into existing statutes are indicated by <u>underscores</u>.
Deletions from existing statutes are indicated by ~~overstrikes~~.

1   afforded rights according to § 27A-10-5. If a petition for emergency commitment pursuant to

2   § 27A-10-1 is not filed within twenty-four hours, the person shall be released.

1   **<u>BILL HISTORY</u>**

2   1/22/99 First read in House and referred to Health and Human Services. H.J. 130

3   2/3/99 Scheduled for Committee hearing on this date.

4   2/3/99 Health and Human Services Do Pass Amended, Passed, AYES 10, NAYS 1. H.J. 340