

## WEST VIRGINIA LEGISLATURE RETAIN OF STATE

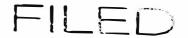
# SEVENTY-NINTH LEGISLATURE REGULAR SESSION, 2009

ENROLLED

Senate Bill No. 344

(By Senators Kessler and Minard)

[Passed April 11, 2009; in effect ninety days from passage.]



#### 2009 MAY -8 PM 3: 42

OFFICE WEST VAGINIA SECRETARY OF STATE

#### ENROLLED

### Senate Bill No. 344

(By Senators Kessler and Minard)

[Passed April 11, 2009; in effect ninety days form passage.]

AN ACT to amend and reenact §27-7-4 of the Code of West Virginia, 1931, as amended, relating to authorizing mental hygiene commissioners to sign readmission orders.

Be it enacted by the Legislature of West Virginia:

That §27-7-4 of the Code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:

ARTICLE 7. RELEASE, DISCHARGE AND READMISSION OF PATIENTS; ESCAPEES.

#### §27-7-4. Readmission of patients.

- 1 While any involuntary patient is out of the mental
- 2 health facility under the provisions of section two or three
- 3 of this article, he or she may be readmitted to the mental
- 4 health facility on the basis of the original commitment. If
- 5 there is reason to believe that it is in the best interest of
- 6 the patient to be hospitalized, the chief medical officer of

- 7 the mental health facility may issue a sworn notice for the
- 8 immediate readmission of the patient, which notice shall
- 9 contain facts concerning the original commitment and the
- 10 current condition of the patient. This notice shall be sent
- 11 to the clerk of the circuit court which ordered his or her
- 12 admission, to the clerk of the circuit court of the county of
- 13 the patient's residence, to the circuit court or mental
- 14 hygiene commissioner of the county in which the patient
- 15 may be found and to the patient at the location where the
- 16 patient may be found. Upon receipt of such notice, the
- 17 circuit court or mental hygiene commissioner may, if
- 18 satisfied that the condition of the patient warrants his or
- 19 her return, authorize any health officer or police officer to
- 20 take the patient into custody and transport him or her to
- 21 the mental health facility where the notice originated.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.  Chairman Senate Committee  Chairman House Committee
Originated in the Senate.
In effect ninety days from passage.  Clerk of the Senate  Sup & L  Clerk of the House of Delegates  President of the Senate  Speaker House of Delegates
The within is approved this the.  Day of

PRESENTED TO THE GOVERNOR

MAY 6 2009

Time