

SB 344

FILED

2009 MAY -8 PM 3:42

WEST VIRGINIA LEGISLATURE

OFFICE WEST VIRGINIA
SECRETARY 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.]

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(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.

[Handwritten Signature]
.....
Chairman Senate Committee

[Handwritten Signature]
.....
Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

[Handwritten Signature]
.....
Clerk of the Senate

[Handwritten Signature]
.....
Clerk of the House of Delegates

[Handwritten Signature]
.....
President of the Senate

[Handwritten Signature]
.....
Speaker House of Delegates

The within *is approved* this the *5th*
May
Day of, 2009.

[Handwritten Signature]
.....
Governor

PRESENTED TO THE
GOVERNOR

MAY 6 2009

Time 11:05 AM