

1 A bill to be entitled
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.

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