

# MAINE STATE LEGISLATURE

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January 30, 1963

William E. Schunacher, M.D., Director

Bureau of Mental Health

Courtland D. Perry, Asst. Attorney General

Mental Health and Corrections

Transfer of Patients Under Section 182 of Chapter 27

In a recent memo you asked whether a letter of transfer signed by the Commissioner accompanying the transfer of any patient from one hospital to another, pursuant to the provisions of section 182 of chapter 27, is sufficient in itself, to accomplish the transfer or whether further papers need to accompany such transfer.

It is the opinion of this office that in instances of transfer from one hospital to another within the state, under the provisions of section 182 of chapter 27, the letter of transfer from the Commissioner to the receiving hospital should be accompanied by a certified copy of the original admittance papers.

It is the further opinion of this office that the status of any patient, transferred from one hospital to another within the state, under section 182 of chapter 27, is unchanged by such transfer, in that, a voluntary patient in one hospital when transferred to another retains his voluntary patient status at the latter facility, and similarly, a patient committed to one hospital by the probate court, when transferred retains his status as a patient involuntarily committed by judicial procedure, and a person admitted under any of the involuntary non-judicial procedures, and later transferred retains such involuntary patient status. The question of status, may, from time to time become important as it relates to requests for release and discharge.

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Courtland D. Perry  
Assistant Attorney General

CDP/r  
cc: Attorney General's Dept.