

MAINE STATE LEGISLATURE

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SECOND REGULAR SESSION

ONE HUNDRED AND EIGHTH LEGISLATURE

Legislative Document

No. 2078

H. P. 1997

House of Representatives, January 16, 1978

Governor's Bill. Referred to the Committee on Health and Institutional Services. Sent up for concurrence.

EDWIN H. PERT, Clerk

Presented by Mr. Goodwin of South Berwick.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-EIGHT

**AN ACT to Clarify Procedures for Emergency Admission to Hospitals for
Mentally Ill.**

Be it enacted by the People of the State of Maine, as follows:

34 MRSA § 2333, sub-§ 1, ¶ C, last ¶, as repealed and replaced by PL 1977, c. 429, § 3, is amended to read:

No person shall be held against his will in the hospital pursuant to this section unless the application and certificate have been endorsed by the judge or justice, except as follows:

- (1) A person for whom an examiner has executed the certificate provided for under this section may be detained in a hospital for as long as is necessary to obtain the endorsement by a judge or justice; provided that the person or persons transporting a person to the hospital shall undertake to secure the endorsement forthwith upon execution of the certificate by the examiner.

This bill allows the temporary holding of an individual at an institute while judicial endorsement is being sought.

STATEMENT OF FACT

Existing statutes do not provide for the holding of a dangerous individual while institutional officials locate a judge or a justice to review and deny or approve a certificate of application.