

MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

FIRST REGULAR SESSION-1997

Legislative Document

No. 263

S.P. 83

In Senate, January 21, 1997

**An Act to Authorize a Physician's Assistant or a Nurse Practitioner to
Sign Papers Transferring a Patient for Evaluation for Emergency
Involuntary Commitment.**

Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator GOLDTHWAIT of Hancock.
Cosponsored by Representative: JONES of Bar Harbor.

2
3 **Be it enacted by the People of the State of Maine as follows:**

4 **Sec. 1. 34-B MRSA §3862, sub-§1, ¶B,** as amended by PL 1995, c.
62, §1, is further amended to read:

6 B. If the officer does take the person into protective
7 custody, shall deliver the person immediately for
8 examination by an available licensed physician, physician's
9 assistant, nurse practitioner or licensed clinical
10 psychologist, as provided in section 3863.

12 **Sec. 2. 34-B MRSA §3863, sub-§2,** as enacted by PL 1983, c.
14 459, §7, is amended to read:

16 **2. Certifying examination.** The written application shall
17 must be accompanied by a dated certificate, signed by a licensed
18 physician, physician's assistant, nurse practitioner or a
licensed clinical psychologist, stating:

20 A. ~~He~~ The physician, physician's assistant, nurse
21 practitioner or psychologist has examined the person on the
22 date of the certificate, which date may not be more than 3
23 days before the date of admission to the hospital; and

24 B. ~~He~~ The physician, physician's assistant, nurse
25 practitioner or psychologist is of the opinion that the
26 person is mentally ill and, because of ~~his~~ that illness,
27 poses a likelihood of serious harm.

30 **SUMMARY**

32 This bill authorizes a physician's assistant or a nurse
33 practitioner to sign the emergency papers required for protective
34 custody and emergency commitment procedures under the mental
35 health laws.
36