

Draft Amendment to HB 2-FN-A-LOCAL

1 New Hampshire Mental Health Services System; Definitions. Amend RSA 135-C:2, IV, to read as follows:

As used in this chapter:

IV. "Community mental health program" means a program established and administered by the state, city, town, or county, *a private entity*, or a nonprofit corporation for the purpose of providing mental health services to the residents of the area and which minimally provides emergency, medical or psychiatric screening and evaluation, case management, and psychotherapy services.

2 New Paragraph; Involuntary Emergency Admission; Examination. Amend RSA 135-C:28 by inserting after paragraph III the following new paragraph:

IV. The licensed general hospital or other site designated by the community mental health program serving the area may place a person who meets the criteria of RSA 135-C:27 in medical protective custody until an involuntary emergency admission certificate can be fully completed. If a person is being held in medical protective custody by a licensed hospital or other site designated by the community mental health program serving the area, the person, or authorized representative, has a right to request a record review by the department to challenge their medical protective custody determination if the protective custody arrangement lasts more than 24 hours. The department will perform the record review within 24 hours, excluding Sundays and holidays, and determine whether the criteria in RSA 135-C:27 is met. If the department determines that the criteria is not met, medical protective custody ends. If the department determines that the criteria is met, medical protective custody may continue. A person is not able to be held in this medical protective custody arrangement for more than 3 days.

3 Effective Date. This act shall take effect upon its passage.