

## LAWS OF ARIZONA

## CHAPTER 119

Senate Bill 1235

## AN ACT

RELATING TO PUBLIC HEALTH AND SAFETY; PROVIDING FOR TRANSPORTATION OF VOLUNTARY PATIENTS TO STATE HOSPITAL; AUTHORIZING RECOMMENDATION FOR RESTORATION TO COMPETENCY UPON CONDITIONAL DISCHARGE, AND AMENDING SECTIONS 36-502 AND 36-524, ARIZONA REVISED STATUTES.

**Be it enacted by the Legislature of the State of Arizona:**

Section 1. Section 36-502, Arizona Revised Statutes, is amended to read:

**36-502. Voluntary admissions; transportation**

A. Pursuant to rules and regulations prescribed by the board, the state hospital may hospitalize for observation, diagnosis, care or treatment any person who is mentally ill and who voluntarily makes written petition therefor on a form prescribed by the board. If such person be less than twenty-one years of age the petition shall be signed by the parent, guardian, or adult next of kin of the proposed patient.

## LAWS OF ARIZONA

B. THE BOARD OF SUPERVISORS OF THE COUNTY OF RESIDENCE OF A PERSON WHO HAS SUBMITTED A PETITION PURSUANT TO SUBSECTION A, SHALL PROVIDE TRANSPORTATION TO THE STATE HOSPITAL FOR SUCH PERSON IF IT APPEARS THAT THE PERSON IS ELIGIBLE FOR VOLUNTARY ADMISSION TO THE STATE HOSPITAL AFTER CONSULTATION HAS TAKEN PLACE BETWEEN THE STATE HOSPITAL AND AN EXAMINER OF THE PATIENT DESIGNATED BY THE COUNTY TO PROVIDE SUCH SERVICES.

Sec. 2. Section 36-524, Arizona Revised Statutes, is amended to read:

**36-524. Conditional discharge of patient; rehospitalization of conditionally discharged patient; complete discharge; notice; restoration to competency**

A. The superintendent may conditionally discharge an improved patient hospitalized under the provisions of sections 36-505, 36-507 or 36-514, on the condition that he will receive outpatient or non-hospital treatment or on such other reasonable conditions as the superintendent may specify.

B. Within one year from the date of a conditional discharge, the superintendent shall re-examine the case and, based upon such re-examination, shall either rehospitalize the person conditionally discharged, continue the conditional discharge or give a complete discharge to such person. In the event a complete discharge is given, a copy of such discharge shall be sent to the clerk of the court where the admission proceedings were held.

C. The superintendent may issue an order for the immediate rehospitalization of a conditionally discharged person when he has reason to believe that conditions justifying rehospitalization exist. The order, when approved by a judge of the superior court in the county in which the conditionally discharged person is a resident or present, shall authorize any health, public welfare or peace officer to take such person into custody and transport him to the state hospital.

D. The superintendent, as frequently as necessary, shall examine or cause to be examined every patient. When the superintendent determines that the conditions justifying hospitalization under section 36-514 no longer obtain, he shall give the patient a complete discharge. A copy of the complete discharge shall be sent to the clerk of the court where such proceedings were held.

## LAWS OF ARIZONA

E. Upon complete or conditional discharge, all articles of value taken from the patient when he entered the hospital shall be returned and he shall be paid monies received for his benefit not disposed of according to law, together with money earned by him during confinement.

F. Prior to complete or conditional discharge of a patient, his guardian, relatives, or friends shall be notified to appear and receive him. If the patient is indigent he shall be returned decently clothed and provided with nontransferable transportation and five dollars in cash, to the county from which committed, and to the receipt of the proper agency, if any, whose duty it is to provide for his care.

G. Any person adjudicated incompetent receiving a **CONDITIONAL OR A** complete discharge from the state hospital or other designated facility, who, in the opinion of the superintendent, has been restored to competency and able to manage his own affairs, shall be furnished by the superintendent with a certificate to that effect. A certified copy of the certificate shall be sent by the superintendent to the superior court under whose order the patient was hospitalized. Thereupon the court shall enter an order that the person has been restored to full competency and to full civil rights. The person may present the certificate to any superior court and the court shall enter an order that the person has been restored to full competency and to full civil rights.

Approved by the Governor - May 9, 1972

Filed in the Office of the Secretary of State - May 9, 1972