

Amendment to HB 565

1 Amend the title of the bill by replacing it with the following:

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3 AN ACT relative to community mental health programs and involuntary emergency
4 admission examinations.
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6 Amend the bill by replacing all after the enacting clause with the following:

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8 1 Definition; Community Mental Health Program. Amend RSA 135-C:2, IV to read as follows:

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

14 2 New Paragraph; Involuntary Emergency Admission Examination. Amend RSA 125-C:28 by
15 inserting after paragraph III the following new paragraph:

16 IV. The licensed general hospital or other site designated by the community mental health
17 program serving the area may place a person who meets the criteria of RSA 135-C:27, I-II in medical
18 protective custody until an involuntary emergency admission certificate can be fully completed. If a
19 person is being held in medical protective custody by a licensed general hospital or other site
20 designated by the community mental health program serving the area, the person, or authorized
21 representative, may request a record review by the department of health and human services to
22 challenge their medical protective custody determination if the protective custody arrangement lasts
23 more than 48 hours. The department of health and human services shall perform the record review
24 within 24 hours, not including Sundays and holidays, and determine whether the criteria in RSA
25 135-C:27, I-II are met. If the department of health and human services determines that the criteria
26 are not met, medical protective custody shall end. If the department of health and human services
27 determines that the criteria are met, medical protective custody may continue. A person shall not be
28 held in medical protective custody for more than 7 days.

29 3 Effective Date. This act shall take effect upon its passage.

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AMENDED ANALYSIS

This bill includes private entity in the definition of community mental health program and allows a licensed general hospital or other site designated by the community mental health program serving the area to place a person who meets certain criteria in medical protective custody.