

Committee Substitute for  
Committee Substitute for Senate Bill No. 340

An act relating to involuntary commitment under the Baker Act; amending s. 394.463, F.S.; providing that a patient admitted for involuntary examination to a hospital may not be released without the approval of the emergency department physician and completion of an involuntary examination; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Paragraph (f) of subsection (2) of section 394.463, Florida Statutes, is amended to read:

394.463 Involuntary examination.—

(2) INVOLUNTARY EXAMINATION.—

(f) A patient shall be examined by a physician or clinical psychologist at a receiving facility without unnecessary delay and may, upon the order of a physician, be given emergency treatment if it is determined that such treatment is necessary for the safety of the patient or others. The patient ~~may~~ shall not be released by the receiving facility or its contractor without the documented approval of a psychiatrist, ~~a or~~ clinical psychologist, or, if the receiving facility is a hospital, the release may also be approved by an attending emergency department physician with experience in the diagnosis and treatment of mental and nervous disorders and after completion of an involuntary examination pursuant to s. 394.463(2). However, a patient may not be held in a receiving facility for involuntary examination longer than 72 hours.

Section 2. This act shall take effect upon becoming a law.

Approved by the Governor June 4, 2003.

Filed in Office Secretary of State June 4, 2003.