



General Assembly

February Session, 2000

Raised Bill No. 5182

LCO No. 461

Referred to Committee on Public Health

Introduced by:
(PH)

An Act Concerning The Use Of Physical Restraint In Transporting Certain Persons Receiving Services From The Department Of Mental Health And Addiction Services.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 3 of public act 99-210 is amended by adding subsection (h)
2 as follows:

3 (NEW) (h) (1) Nothing in this section shall be construed as
4 prohibiting the use of mechanical physical restraint in transporting any
5 person (A) who is receiving services from the Department of Mental
6 Health and Addiction Services pursuant to sections 17a-513 to 17a-517,
7 inclusive, 17a-566 to 17a-567, inclusive, 17a-582 to 17a-603, inclusive, or
8 54-56d of the general statutes, or (B) who is committed to the
9 department by a court of competent jurisdiction and has a pending
10 criminal charge for which bail or a bond has not been posted, from a
11 department facility to another location and, if applicable, back to such
12 facility. Any such use of mechanical physical restraint shall be
13 determined on an individualized basis by the head of the facility, or by
14 a designee of the head of the facility, to be necessary and appropriate
15 to protect the public safety.

16 (2) Any use of mechanical physical restraint under this subsection
17 shall be documented in the medical record of the person who is
18 transported. Such documentation shall include, but not be limited to,
19 (A) the reason for the use of such restraint, including the risk of flight,
20 the risk to public safety and the person's clinical condition, and (B) a
21 detailed description of the nature of such restraint and its duration. If
22 the use of any such restraint results in serious physical injury or death
23 to such person, the head of the facility shall report such injury or death
24 to the Commissioner of Mental Health and Addiction Services. The
25 commissioner, upon receiving any such report, shall inform the
26 director of the Office of Protection and Advocacy for Persons with
27 Disabilities of such injury or death.

PH Committee Vote: Yea 21 Nay 0 JF C/R JUD