



# House of Representatives

General Assembly

**File No. 141**

February Session, 2008

Substitute House Bill No. 5449

*House of Representatives, March 25, 2008*

The Committee on Public Health reported through REP. SAYERS, P. of the 60th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

***AN ACT CONCERNING ISSUANCE OF EMERGENCY CERTIFICATES  
BY LICENSED CLINICAL SOCIAL WORKERS AND ADVANCED  
PRACTICE REGISTERED NURSES.***

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

1 Section 1. Section 17a-503 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective from passage*):

3 (a) Any police officer who has reasonable cause to believe that a  
4 person has psychiatric disabilities and is dangerous to himself or  
5 herself or others or gravely disabled, and in need of immediate care  
6 and treatment, may take such person into custody and take or cause  
7 such person to be taken to a general hospital for emergency  
8 examination under this section. The officer shall execute a written  
9 request for emergency examination detailing the circumstances under  
10 which the person was taken into custody, and such request shall be left  
11 with the [facility] hospital. The person shall be examined [within] not  
12 later than twenty-four hours after being taken into custody and shall  
13 not be held for more than seventy-two hours after being taken into

14 custody unless committed under section 17a-502 of the 2008  
15 supplement to the general statutes.

16 (b) Upon application by any person to the court of probate having  
17 jurisdiction in accordance with section 17a-497, alleging that any  
18 respondent has psychiatric disabilities and is dangerous to himself or  
19 herself or others or gravely disabled, and in need of immediate care  
20 and treatment in a hospital for psychiatric disabilities, such court may  
21 issue a warrant for the apprehension and bringing before it of such  
22 respondent and examine such respondent. If the court determines that  
23 there is probable cause to believe that such [person] respondent has  
24 psychiatric disabilities and is dangerous to himself or herself or others  
25 or gravely disabled, the court shall order that such respondent be  
26 taken to a general hospital for examination. The [person] respondent  
27 shall be examined [within] not later than twenty-four hours after being  
28 taken into custody and shall not be held for more than seventy-two  
29 hours after being taken into custody unless committed under section  
30 17a-502 of the 2008 supplement to the general statutes.

31 (c) Any psychologist licensed under chapter 383 who has reasonable  
32 cause to believe that a person has psychiatric disabilities and is  
33 dangerous to himself or herself or others or gravely disabled, and in  
34 need of immediate care and treatment, may issue an emergency  
35 certificate in writing that authorizes and directs that such person be  
36 taken to a general hospital for purposes of a medical examination. The  
37 person shall be examined [within] not later than twenty-four hours  
38 after being taken into custody and shall not be held for more than  
39 seventy-two hours after being taken into custody unless committed  
40 under section 17a-502 of the 2008 supplement to the general statutes.

41 (d) Any clinical social worker licensed under chapter 383b or  
42 advanced practice registered nurse licensed under chapter 378 who (1)  
43 has received a minimum of eight hours of specialized training in the  
44 conduct of direct evaluations [under this subsection] as a member of  
45 any mobile crisis team, jail diversion program, crisis intervention team,  
46 advanced supervision and intervention support team, or assertive case

47 management program operated by or under contract with the  
 48 Department of Mental Health and Addiction Services, and (2) based  
 49 upon the direct evaluation of a person, has reasonable cause to believe  
 50 that such person has psychiatric disabilities and is dangerous to  
 51 himself or herself or others or gravely disabled, and in need of  
 52 immediate care and treatment, may issue an emergency certificate in  
 53 writing that authorizes and directs that such person be taken to a  
 54 general hospital for purposes of a medical examination. The person  
 55 shall be examined [within] not later than twenty-four hours after being  
 56 taken into custody and shall not be held for more than seventy-two  
 57 hours after being taken into custody unless committed under section  
 58 17a-502 of the 2008 supplement to the general statutes. The  
 59 Commissioner of Mental Health and Addiction Services shall collect  
 60 and maintain statistical and demographic information pertaining to  
 61 emergency certificates issued under this subsection.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	17a-503

**PH**      *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either chamber thereof for any purpose:

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**OFA Fiscal Note**

**State Impact:**

<b>Agency Affected</b>	<b>Fund-Effect</b>	<b>FY 09 \$</b>	<b>FY 10 \$</b>
Department of Mental Health & Addiction Services	GF - None	None	None

Note: GF=General Fund

**Municipal Impact:** None

**Explanation**

The bill expands the number of Department of Mental Health and Addiction Services (DMHAS) programs in which licensed clinical social workers and advanced practice registered nurses (APRN’s) who have received specialized training, can issue emergency certificates directing that a person be taken to a hospital for evaluation. This is not anticipated to result in any increased cost to DMHAS.

**The Out Years**

There is no fiscal impact anticipated in the out years.

**OLR Bill Analysis**

**sHB 5449**

***AN ACT CONCERNING ISSUANCE OF EMERGENCY CERTIFICATES BY LICENSED CLINICAL SOCIAL WORKERS AND ADVANCED PRACTICE REGISTERED NURSES.***

**SUMMARY:**

This bill expands the circumstances in which licensed clinical social workers and advanced practice registered nurses (APRNs) can issue emergency certificates that direct a person with psychiatric disabilities to be taken to a hospital for evaluation. It permits social workers and APRNs who are members of crisis intervention or advanced supervision and intervention support teams operated by or under contract with the Department of Mental Health and Addiction Services (DMHAS) to issue these certificates; under current law they may do so only if they are members of a DMHAS-operated or -funded mobile crisis team, jail diversion program, or assertive case management program. As with the social workers and APRNs currently authorized to issue emergency certificates, those working in the newly covered programs must (1) have received at least eight hours of specialized training in conducting direct evaluations and (2) as a result of direct evaluation, believe the person has psychiatric disabilities; is a danger to himself, herself, or others; and needs immediate care or treatment.

In addition to social workers and APRNs in these specified circumstances, psychologists, police, and probate courts can issue emergency certificates. The bill specifies that for a person taken to a hospital under any emergency certificate, the law's requirements for an examination (within 24 hours) and for release unless committed (72 hours) runs from the time he or she is taken into custody.

EFFECTIVE DATE: Upon passage

**BACKGROUND*****Crisis Intervention and Advanced Supervision and Intervention Support Teams (ASIST)***

Crisis intervention teams consist of police and clinicians who respond to situations in a community involving someone with a psychiatric disorder. Teams currently operate in Waterbury, New Haven, West Haven, Norwich, New London, Stamford, Bridgeport, and Hartford. In the ASIST program, DMHAS clinicians work with probation and parole offices to help DMHAS clients who have become involved with the criminal justice system stay out of jail. The program currently operates in New Britain, New Haven, Hartford, Bridgeport, Waterbury, Middletown, and Norwich.

**COMMITTEE ACTION**

Public Health Committee

Joint Favorable Substitute

Yea 28      Nay 0      (03/07/2008)