



House of Representatives

General Assembly

File No. 356

January Session, 2013

House Bill No. 5727

House of Representatives, April 4, 2013

The Committee on Public Health reported through REP. JOHNSON of the 49th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

***AN ACT CONCERNING THE TIME FOR PARENTAL NOTIFICATION
WHEN A CHILD IS ADMITTED TO A HOSPITAL FOR DIAGNOSIS OR
TREATMENT OF A MENTAL DISORDER.***

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

1 Section 1. Section 17a-79 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2013*):

3 (a) Except as provided in subsection (b) of this section, any hospital
4 may admit any child for diagnosis or treatment of a mental disorder
5 upon the written request of the child's parent. A child fourteen years of
6 age or over may be admitted under this section without consent of his
7 or her parents if such child consents in writing, provided that the
8 parents of such child, if any, shall be notified [within five days of] not
9 later than twenty-four hours after such admission that such child has
10 been hospitalized under the provisions of this subsection. If the
11 whereabouts of such parents are unknown, then such child's nearest
12 relative shall be so notified. In the event that a child's parent or
13 guardian requests in writing release of such child, or in the event a

14 child age fourteen or older who has been admitted with his or her
15 written consent requests in writing his or her release, the hospital shall
16 release such child or commence commitment proceedings in
17 accordance with sections 17a-76 and 17a-77 and the hospital may
18 detain the child for five business days, in order to allow an application
19 to be filed. In the event such an application is filed, such
20 hospitalization shall be continued for an additional period of time to
21 allow such application to be heard, but in no event shall such
22 hospitalization continue for more than fifteen days, or twenty-five
23 days, if the matter has been transferred to the Superior Court, beyond
24 the receipt of such application by the court.

25 (b) No child in the custody of the Commissioner of Children and
26 Families shall be admitted for diagnosis or treatment except in
27 accordance with sections 17a-76 to 17a-78, inclusive, unless (1) the
28 commissioner requests such admission, (2) legal counsel appointed by
29 the superior court for juvenile matters or court of probate in
30 accordance with section 17a-76 agrees, in writing, to such admission,
31 and (3) the child, if fourteen years of age or over consents to such
32 admission. The parents or guardian of the person of such child, if any,
33 shall be notified [within five days of] not later than twenty-four hours
34 after such admission that such child has been hospitalized under the
35 provisions of this section. If the whereabouts of such parents or
36 guardian of the person is unknown, then the nearest relative of such
37 child shall be notified. In the event either parent or the guardian of the
38 person of the child requests in writing the release of such child, the
39 hospital shall release such child, unless the Commissioner of Children
40 and Families commences commitment proceedings in accordance with
41 sections 17a-76 and 17a-77. The hospital may detain the child for five
42 business days after receipt of the written request in order to allow an
43 application to be filed. If an application is filed, hospitalization shall be
44 continued for an additional period of time to allow the application to
45 be heard, but in no event shall hospitalization continue for more than
46 fifteen days, or twenty-five days, if the matter has been transferred to
47 the Superior Court, beyond the receipt of such application by the court.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>October 1, 2013</i>	17a-79
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PH *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note**State Impact:** None**Municipal Impact:** None**Explanation**

This bill reduces time by which a hospital must notify a parent when certain children have been admitted from five days to 24 hours. There is no state or municipal fiscal impact.

The Out Years**State Impact:** None**Municipal Impact:** None

OLR Bill Analysis**HB 5727*****AN ACT CONCERNING THE TIME FOR PARENTAL NOTIFICATION WHEN A CHILD IS ADMITTED TO A HOSPITAL FOR DIAGNOSIS OR TREATMENT OF A MENTAL DISORDER.*****SUMMARY:**

This bill reduces, from five days to one, the time within which a hospital must notify a parent or guardian of a child (1) age 14 or older or (2) in the custody of the Department of Children and Families (DCF) that the child was admitted for the diagnosis or treatment of a mental disorder without their consent.

The law allows a hospital to admit a child age 14 or older without parental consent if the child agrees in writing. The DCF commissioner can admit any child under her custody to a hospital without going through probate court if (1) the child's legal counsel consents in writing and (2) if age 14 or older, the child agrees.

EFFECTIVE DATE: October 1, 2013

COMMITTEE ACTION

Public Health Committee

Joint Favorable

Yea 25 Nay 0 (03/25/2013)