



General Assembly

***Raised Bill No. 6581***

January Session, 2023

LCO No. 3409



Referred to Committee on PUBLIC SAFETY AND SECURITY

Introduced by:  
(PS)

***AN ACT CONCERNING EMERGENCY INTERVENTION BY A POLICE OFFICER WHEN A PERSON IS INCAPACITATED BY DRUGS OR DUE TO A MEDICAL EMERGENCY.***

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

1 Section 1. Section 17a-683 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2023*):

3 (a) Any police officer finding a person who appears to be  
4 intoxicated in a public place and in need of help may, with such  
5 person's consent, assist such person to [his] such person's home, a  
6 treatment facility, or a hospital or other facility able to accept such  
7 person.

8 (b) Any police officer finding a person who appears to be  
9 incapacitated by alcohol, by drugs or due to a medical emergency shall  
10 take [him] such person into protective custody and have [him] such  
11 person brought forthwith (1) to a treatment facility which provides  
12 medical triage in accordance with regulations adopted pursuant to  
13 section 19a-495, or (2) to a hospital. The police, in detaining the person  
14 and in having [him] such person brought forthwith to such a treatment

15 facility or a hospital, shall be taking [him] such person into protective  
16 custody and shall make every reasonable effort to protect [his] such  
17 person's health and safety. In taking the person into protective  
18 custody, the detaining officer may take reasonable steps to protect  
19 himself or herself. A taking into protective custody under this section  
20 is not an arrest. No entry or other record shall be made to indicate that  
21 the person has been arrested or charged with a crime. For purposes of  
22 this section, "medical triage" means a service which provides  
23 immediate assessment of symptoms of substance abuse, the immediate  
24 care and treatment of [these] medical emergencies and such symptoms  
25 as necessary, a determination of need for treatment [,] and assistance in  
26 attaining appropriate continued treatment.

27 (c) A person who is brought to a treatment facility which provides  
28 medical triage in accordance with regulations adopted pursuant to  
29 section 19a-495 or to a hospital shall be examined by a medical officer  
30 or [his] such medical officer's designee as soon as possible. The  
31 medical officer shall determine whether the person requires inpatient  
32 treatment based upon the medical examination of the person and upon  
33 a finding that the person is incapacitated by alcohol, by drugs or due  
34 to a medical emergency.

35 (d) If the medical officer determines that the person requires  
36 inpatient treatment, the person shall be (1) admitted to, referred to or  
37 detained at a treatment facility that provides medical treatment for  
38 detoxification or a hospital, or (2) committed to a treatment facility  
39 operated by the Department of Mental Health and Addiction Services  
40 for emergency treatment pursuant to the provisions of section 17a-684.  
41 A person treated under subdivision (1) of this subsection shall be  
42 admitted as a voluntary patient, or, if necessary, detained for necessary  
43 treatment. If such person is referred to another treatment facility or  
44 another hospital, the referring facility or hospital shall arrange for [his]  
45 such person's transportation.

46 (e) Any person admitted or detained as a patient under subdivision  
47 (1) of subsection (d) of this section shall be released once [he] such

48 person is no longer incapacitated [by alcohol] or within forty-eight  
49 hours, whichever is shorter, unless [he] such person consents to further  
50 medical evaluation or treatment.

51 (f) If a patient is admitted to a treatment facility or hospital, [his]  
52 such person's family or next of kin shall, unless prohibited by federal  
53 law, be notified as promptly as possible. If a patient who is not  
54 incapacitated [by alcohol] requests that there be no notification, [his]  
55 such request shall be respected.

56 (g) A person who is not admitted to a treatment facility or a  
57 hospital, is not referred to another treatment facility or hospital and  
58 has no funds may be taken to [his] such person's home, if any. If [he]  
59 such person has no home, the facility shall assist [him] such person in  
60 obtaining shelter.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2023	17a-683

**PS**      *Joint Favorable*