



General Assembly

February Session, 2024

Raised Bill No. 5397

LCO No. 1777



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 Section 17a-683 of the general statutes is repealed and the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 intoxicated
4 in a public place and in need of help may, with such person's consent,
5 assist such person to [his] such person's home, a treatment facility, or a
6 hospital or other facility able to accept such person.

7 (b) Any police officer finding a person who appears to be
8 incapacitated by alcohol, by drugs or due to a medical emergency shall
9 take [him] such person into protective custody and have [him brought]
10 such person transported forthwith to a treatment facility which
11 provides medical triage in accordance with regulations adopted
12 pursuant to section 19a-495 or to a hospital, provided such officer shall
13 obtain approval for such custody and transportation of a person who
14 appears to be incapacitated by drugs or due to a medical emergency

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

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

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

49 (e) Any person admitted or detained as a patient under subdivision
50 (1) of subsection (d) of this section shall be released once [he] such
51 person is no longer incapacitated [by alcohol] or within forty-eight
52 hours, whichever is shorter, unless [he] such person consents to further
53 medical evaluation or treatment.

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

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

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

Statement of Purpose:

To allow a police officer, with approval of a medical control official, to take a person who appears to be incapacitated by drugs or due to a medical emergency into protective custody and have such person brought to a treatment facility or hospital.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]