

March 9, 1999

S 303. INPATIENT COMMIT./CONDT'L RELEASE. TO PROVIDE FOR THE MONITORING AND SUPERVISION OF PERSONS ON CONDITIONAL RELEASE FROM STATE PSYCHIATRIC HOSPITALS. Adds new subsections (c) and (d) to GS 122C-277 to authorize conditional release for period not to exceed the remainder of the period of inpatient commitment upon specified findings and only after an individualized outpatient treatment plan has been developed and an area authority has been designated to administer it. Provides process for establishment of treatment plan and minimum requirements. Requires respondent consent to treatment plan and notice of conditional release be provided to clerk of court in the county of commitment, county of release, and county in which 24-hour facility is located. Rewords statute to identify conditional 30-day release as "trial visit" release. Amends GS 122C-273 to establish administration responsibilities of area authority for respondents who are conditionally released, including authority to request the return of the respondent to the 24-hour facility. Amends GS 122C-274.1 to provide for supplemental hearings regarding conditional release which may result in either revocation (for violation or failure to continue to meet the conditions) or continuation of conditional release. Amends GS 122C-277(a) to require notice of discharge under that subparagraph to be furnished to the clerk of superior court of the county of commitment and of the county in which the facility is located. Amends GS 122C-210.1 to add a "good faith" requirement for immunity from civil liability. Amends GS 122C-3(11)(b) to add to the definition of "dangerous to others," *"The reasonable probability that an individual with a history of dangerous episodes or with recent delusions accompanied by violent fantasies will cease to take medications or will abuse alcohol or other drugs may be considered when determining the reasonable probability of future dangerous conduct."* This change applies to actions taken on or after the effective date of the act. Remainder of the bill is effective January 1, 2000.

Intro. by Rand.

Ref. to Judiciary I

GS 122C