

Senate Bill 186

By: Senator Ligon, Jr. of the 3rd

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 3 of Chapter 3 of Title 37 of the Official Code of Georgia Annotated,
2 relating to examination, hospitalization, and treatment of involuntary patients, so as to
3 provide for authorization of ambulance personnel to transport certain mentally ill patients
4 under certain circumstances; to provide for report; to provide for related matters; to repeal
5 conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article 3 of Chapter 3 of Title 37 of the Official Code of Georgia Annotated, relating to
9 examination, hospitalization, and treatment of involuntary patients, is amended by revising
10 Code Section 37-3-42, relating to emergency admission of persons arrested for penal
11 offenses, report by officer, and entry of report into clinical record, as follows:

12 "37-3-42.

13 (a) A peace officer may take any person to a physician within the county or an adjoining
14 county for emergency examination by the physician, as provided in Code Section 37-3-41,
15 or directly to an emergency receiving facility if (1) the person is committing a penal
16 offense, and (2) the peace officer has probable cause for believing that the person is a
17 mentally ill person requiring involuntary treatment. The peace officer need not formally
18 tender charges against the individual prior to taking the individual to a physician or an
19 emergency receiving facility under this Code section. The peace officer shall execute a
20 written report detailing the circumstances under which the person was taken into custody;
21 and this report shall be made a part of the patient's clinical record.

22 (b) Ambulance service personnel licensed under Chapter 11 of Title 31 may take any
23 person within the county directly to an emergency receiving facility if (1) the ambulance
24 service personnel have been dispatched in response to an emergency, (2) the ambulance
25 service personnel have probable cause for believing that the person is a mentally ill person
26 requiring involuntary treatment, and (3) the ambulance service personnel have consulted
27 with the emergency receiving facility physician and it is the opinion of the physician that

28 it is in the best interest of the individual and the public that the patient be transported
29 immediately to the facility. The ambulance service personnel shall execute a written report
30 detailing the circumstances under which the person was transported, and this report shall
31 be made a part of the patient's clinical record.

32 (b)(c) Any psychologist may perform any act specified by this Code section to be
33 performed by a physician. Any reference in any part of this chapter to a physician acting
34 under this Code section shall be deemed to refer equally to a psychologist acting under this
35 Code section. For purposes of this subsection, the term 'psychologist' means any person
36 authorized under the laws of this state to practice as a licensed psychologist."

37 **SECTION 2.**

38 All laws and parts of laws in conflict with this Act are repealed.