

NORTH CAROLINA GENERAL ASSEMBLY  
1961 SESSION

CHAPTER 512  
HOUSE BILL 254

1 AN ACT TO PROVIDE FOR ADMISSION TO STATE HOSPITALS BY CERTIFICATES  
2 OF PHYSICIANS.

3  
4 The General Assembly of North Carolina do enact:

5  
6 **Section 1.** Chapter 122 of the General Statutes is hereby amended by inserting  
7 immediately preceding Section 122-63 and immediately following Section 122-62 the  
8 following new Section:

9 "**Section 122-62.1. Admission on Certificate of Physicians.** (a) Whenever two physicians  
10 duly licensed to practice medicine in this State and not related by blood or marriage to an  
11 alleged mentally disordered person shall certify, on forms to be provided by the North Carolina  
12 Hospitals Board of Control, that any person is mentally ill and is in need of care and treatment  
13 in a mental hospital, such person shall be admitted to the appropriate State Hospital on receipt  
14 of such certificate. The certificate of the physicians shall be notarized.

15 (b) If the patient or any member of his family objects to admission in the manner herein  
16 provided prior to admission, the procedure outlined in G.S. 122-46 must be followed before  
17 commitment. If, after admission, the patient or any member of his family shall object to the  
18 admission of the alleged mentally disordered person in the manner herein provided, they may,  
19 within sixty days after the admission of such patient to a State hospital, file with the Clerk of  
20 the Superior Court of the county in which such mentally disordered person resides an affidavit  
21 stating such objection. The Clerk shall then proceed to hold the hearing required by  
22 G.S. 122-46 or G.S. 122-43.1 and thereafter the proceeding shall be treated as one having been  
23 instituted under G.S. 122-46."

24 **Sec 2.** Chapter 35 of the General Statutes is hereby amended by inserting  
25 immediately following G.S. 35-35.1 and immediately preceding Article 7 thereof, the following  
26 new Section:

27 "**G.S. 35-35.2. Admission of inebriate on certificate of physicians.** (a) Whenever two  
28 physicians duly licensed to practice medicine in this State and not related by blood or marriage  
29 to an alleged inebriate shall certify, on forms to be provided by the North Carolina Hospitals  
30 Board of Control, that any person is an inebriate and is in need of care and treatment in the  
31 inebriate department of a State hospital, such person shall be admitted to the appropriate State  
32 hospital on receipt of such certificate, and on arrangement with the superintendent for the  
33 authorized cost of his care and treatment. The certificate of the physicians shall be notarized.

34 (b) If the patient or any member of his family shall object to the admission in the  
35 manner herein provided, they may, within sixty days after the admission of such patient to a  
36 State hospital, file with the Clerk of the Superior Court of the county in which such alleged  
37 inebriate resides an affidavit stating such objection. The Clerk shall then hold the hearing  
38 required by G.S. 122-46 or G.S. 122-43.1 and thereafter the proceeding shall be treated as one  
39 having been instituted under those Sections.

40 (c) The North Carolina Hospitals Board of Control is authorized to determine costs and  
41 to set rates for the maintenance of inebriates so admitted.

42 **Sec. 3.** All laws and clauses of laws in conflict with this Act are hereby repealed.

43 **Sec. 4.** This Act shall become effective on January 1, 1962.

1  
2 1961.

In the General Assembly read three times and ratified, this the 26th day of May,