

GENERAL ASSEMBLY OF NORTH CAROLINA
1983 SESSION

CHAPTER 548
HOUSE BILL 690

AN ACT TO PROVIDE FOR THE RETURN OF PATIENTS TO TREATMENT FACILITIES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 122-27 is rewritten as follows:

"§ 122-27. Return of patients to treatment facilities. – (a) When any inpatient of a treatment facility, community mental health center, community mental health facility, regional mental health facility, regional psychiatric facility, or mental health facility, as they are defined in G.S. 122-56.2(b), 122-58.2(5), (6) or (7), or 122-98.2 who:

- (1) Has been involuntarily committed thereto; or
- (2) Is being detained therein prior to a judicial hearing; or
- (3) Has been voluntarily admitted thereto but is a minor or incompetent adult; or
- (4) Has been placed on conditional release therefrom; shall escape or breach the condition of the patient's release, as applicable, the responsible official of such facility or center shall immediately notify the appropriate law enforcement officer of the county of residence of the patient and shall have recorded in the patient's record the condition of release which has been breached. If there are reasonable grounds to believe that the patient is in any other county, the responsible person will also notify the appropriate law enforcement officer of that county. The term 'law enforcement officer' shall have the same meaning as set forth in G.S. 122-58.2(3). Upon receipt of such notice, it shall be the duty of the law enforcement officer to take the patient into custody and return the patient to the facility or center from which the patient has escaped or has been conditionally released. The expense of returning such patient shall be borne by the county of residence of the patient.

(b) The provisions of subsection (a) shall also apply to competent adult inpatients who have been voluntarily admitted but who, in the opinion of the responsible mental health professional at the facility or center involved, are currently dangerous to themselves or others.

(c) The responsible official of the facility or center shall also notify the clerk of superior court of the county of commitment or admission requiring judicial determination (if appropriate) and the county in which the center or facility is located of the escape or breach of condition of the patient's release and of his subsequent return to the facility or center."

Sec. 2. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 16th day of June, 1983.