

Article - Health - General

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§10–616.

(a) (1) A certificate for involuntary admission of an individual under this part shall:

(i) Be based on the personal examination of the physician, psychologist, psychiatric nurse practitioner, licensed certified social worker–clinical, or licensed clinical professional counselor who signs the certificate; and

(ii) Be in the form that the Secretary adopts, by rule or regulation.

(2) The rules and regulations shall require the form to include:

(i) A diagnosis of a mental disorder of the individual;

(ii) An opinion that the individual needs inpatient care or treatment; and

(iii) An opinion that admission to a facility or Veterans' Administration hospital is needed for the protection of the individual or another.

(b) A certificate may not be used for admission if the examination on which the certificate is made was done:

(1) More than 1 week before the certificate is signed; or

(2) More than 30 days before the facility or the Veterans' Administration hospital receives the application for admission.

(c) A certificate may not be used for an admission if the physician, psychologist, psychiatric nurse practitioner, licensed certified social worker–clinical, or licensed clinical professional counselor who signed the certificate:

(1) Has a financial interest, through ownership or compensation, in a proprietary facility and admission to that proprietary facility is sought for the individual whose status is being certified; or

(2) Is related, by blood or marriage, to the individual or to the applicant.

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