

645.230 Rights of child, parent.

- (1) The child, parent or other person exercising custodial control or supervision of a child hospitalized under this chapter shall be entitled to confer at regular intervals with the treating or admitting physician or a member of the child's treatment team concerning the child's condition, treatment, or diagnosis. The hospital or other proponent of certification may request that the parent or other person exercising custodial control or supervision of a child be available for consultation and cooperation in connection with the treatment process and may seek a court order to require such cooperation.
- (2) A parent or other person exercising custodial control or supervision of a child who has been hospitalized pursuant to KRS 645.030 may at any time file a notice to withdraw the child from the hospital. Upon receipt of such notice, the hospital may discharge the child immediately to the custody of his parent or other person exercising custodial control or supervision, or if in the opinion of the treating physician release would be seriously detrimental to the child's health, the physician shall:
 - (a) Discharge the child to the custody of his parent or other person exercising custodial control or supervision against medical advice, after advising them against discharge and seeking their written acknowledgment that they have been so advised; or
 - (b) Refuse to discharge the child for a period of no more than seventy-two (72) hours, exclusive of weekends and holidays, after receipt of the notice to withdraw, provided that the hospital or the physician files a petition for certification within the three (3) days, exclusive of weekends and holidays, in which case the hospital may hold the child until the court's ruling following the certification hearing.

Effective: April 10, 1988

History: Amended 1988 Ky. Acts ch. 350, sec. 125, effective April 10, 1988. --
Created 1986 Ky. Acts ch. 423, sec. 168, effective July 1, 1987.