

202B.170 Interim determination and possible dismissal.

- (1) Following the preliminary hearing but prior to the completion of the final hearing, the court may order the respondent to reside in his or her current residence, an emergency placement designated by the regional program for mental health and individuals with an intellectual disability, or an ICF/ID approved by the secretary for that purpose for the committing judicial district in a community program approved by the secretary or in a hospital. The respondent may be released, upon application and agreement of the parties, for the purpose of community-based outpatient treatment.
- (2) A physician of an ICF/ID or a hospital shall discharge a respondent residing therein and notify the court and attorneys of record, if the interdisciplinary team of the ICF/ID or an authorized staff physician of the hospital determines that the respondent no longer meets the criteria for involuntary admission.
- (3) If a respondent is discharged by the ICF/ID or hospital pursuant to subsection (2) of this section, the proceedings against the respondent shall be dismissed.

Effective: July 12, 2012

History: Amended 2012 Ky. Acts ch. 146, sec. 51, effective July 12, 2012. -- Amended 2006 Ky. Acts ch. 195, sec. 4, effective July 12, 2006. -- Amended 1994 Ky. Acts ch. 498, sec. 12, effective July 15, 1994. -- Created 1990 Ky. Acts ch. 147, sec. 16, effective July 13, 1990.