

202B.270 Convalescent leave status.

- (1) A physician may release a resident on convalescent leave status when the interdisciplinary team concludes that the resident would not present a danger or a threat of danger to self, family, or others if provided with continued medical supervision in a less restrictive alternative mode of treatment. Release on convalescent leave status does not terminate a court admission order and shall include provisions for the development of a treatment plan jointly by the ICF/ID and by a provider of outpatient care for follow-up care by the provider and for the continual monitoring of that resident's condition by the provider.
- (2) The ICF/ID from which the resident is given convalescent leave status may at any time readmit the resident without additional court proceedings. If there is reason to believe that it is in the best interest of the resident to be readmitted, the secretary or an authorized staff physician of the ICF/ID may issue an order for the immediate readmission of the resident. The order, if not voluntarily complied with, shall, upon the endorsement by a judge of any court of the county in which the resident resides or is present, authorize any peace officer to take the resident into custody and transport the person to the responsible ICF/ID. Notice of readmission under this section shall be given to the originating court as soon as practicable and simultaneously with the order directing the readmission if possible.
- (3) Release on convalescent leave status shall not apply to persons held under admission orders arising out of KRS Chapter 504 unless consent of the appropriate court is obtained.

Effective: July 12, 2012

History: Amended 2012 Ky. Acts ch. 146, sec. 58, effective July 12, 2012. -- Created 1990 Ky. Acts ch. 147, sec. 26, effective July 13, 1990.