

**202A.021 Hospitalization of minors -- Admission or discharge of voluntary patients -- Transport of voluntary patients to receiving hospital or psychiatric facility.**

- (1) The hospitalization of minors alleged to be mentally ill, except those provided for in KRS Chapter 640, shall be governed by KRS Chapter 645.
- (2) An authorized staff physician of a hospital may admit for observation, diagnosis, care and treatment any person who is mentally ill or who has symptoms of mental illness and who applies voluntarily therefor.
- (3) An authorized staff physician of a hospital shall discharge any voluntary patient who has recovered or whose hospitalization the staff physician determines to be no longer necessary or advisable.
- (4) A voluntary patient shall be released upon the patient's written request unless further detained under the applicable provisions of this chapter, including subsection (5) of this section.
- (5)
  - (a) A voluntary patient who presents or is admitted to a hospital with symptoms of mental illness may be transported from the originating hospital to a receiving hospital or psychiatric facility:
    1. Upon the order of an authorized staff physician of an originating hospital and an authorized staff physician of a receiving hospital or psychiatric facility; and
    2. Submission of the patient's signed written agreement to be voluntarily transported.
  - (b) If the agreed-upon transport from the originating hospital has been initiated, the patient with a signed written agreement to be voluntarily transported under this subsection shall not be physically released upon his or her request during the transport to the receiving hospital or psychiatric facility. The patient shall be physically released upon request after the patient has been received by the receiving hospital or psychiatric facility upon the patient's written release request unless further detained under the applicable provisions of this chapter as provided for under subsection (4) of this section.

**Effective:** June 29, 2021

**History:** Amended 2021 Ky. Acts ch. 32, sec. 1, effective June 29, 2021. -- Amended 1988 Ky. Acts ch. 139, sec. 2, effective July 15, 1988. -- Amended 1986 Ky. Acts ch. 423, sec. 195, effective July 1, 1987. -- Created 1982 Ky. Acts ch. 445, sec. 2, effective July 1, 1982.

**Legislative Research Commission Note.** This section was enacted in 1982 Acts, Chapter 445, which contains the following language in Section 45 of that Act: "This Act shall become effective on July 1, 1982." The Ky. Constitution, in Section 55, requires that a reason be set forth for the emergency. However, no reason is set forth in this Act. The effective date for 1982 Acts with no emergency provision is July 15, 1982.