

State of South Dakota

SEVENTY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 1999

400C0323

SENATE BILL NO. 53

Introduced by: The Committee on Health and Human Services at the request of the Department of Human Services

1 FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the apprehension and
2 transportation of a person believed to require emergency intervention.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That chapter 27A-10 be amended by adding thereto a NEW SECTION to read
5 as follows:

6 If a competent person agrees to receive treatment at the Human Services Center and the
7 treatment is arranged with the center but upon arrival the person does not consent to admission
8 or if a person agrees to accept treatment at the center and the treatment is arranged but upon
9 arrival the person is examined and found not competent to consent to admission, if there is no
10 next of kin available or if there is next of kin available but the person does not consent to
11 admission, and if the facility director or administrator or attending psychiatrist has probable cause
12 to believe that the person requires emergency intervention under the criteria in § 27A-10-1, the
13 center may be used as an appropriate regional facility.