

FINAL BILL REPORT

EHB 1010

C 106 L 03

Synopsis as Enacted

Brief Description: Changing provisions relating to discharge of a minor from a mental health facility.

Sponsors: By Representatives Dickerson, Delvin, Kenney, Sullivan and Darneille.

House Committee on Juvenile Justice & Family Law
Senate Committee on Children & Family Services & Corrections

Background:

Under the common law, a minor could not consent to medical or surgical treatment. A physician was obliged to obtain the consent of the child's parents or responsible person before providing treatment. The only acceptable exception was if there was an emergency and it was either impracticable to obtain parental consent or any delay would unduly endanger the minor's life.

The Legislature has modified this common law approach by allowing treatment of minors without parental consent under certain circumstances. One of the occasions when a minor may receive treatment without parental consent is if the minor is age 13 or older and consents to inpatient mental health treatment. The minor may be admitted and treated in an inpatient mental health facility without parental consent.

If the minor, age 13 or older, consents and is voluntarily admitted into an inpatient mental health facility, the minor may request to leave the facility at any time. The professional person at the facility must release the minor as soon as he or she receive the minor's written notice of intent to leave the facility.

Summary:

When a minor who has consented to inpatient mental health treatment gives notice of intent to leave the facility, the minor must be released by the second judicial day following the receipt of the minor's notice of intent to leave the facility.

Votes on Final Passage:

House 97 0

Senate 47 0

Effective: July 27, 2003