

§3865. Hospitalization by federal agency

If a person ordered to be hospitalized under section 3864 is eligible for hospital care or treatment by any agency of the United States, the court, upon receipt of a certificate from the agency showing that facilities are available and that the person is eligible for care or treatment in the facilities, may order the person to be placed in the custody of the agency for hospitalization. [PL 2007, c. 319, §11 (AMD).]

1. Rules and rights. A person admitted under this section to any psychiatric hospital or institution operated by any agency of the United States, inside or outside the State, is subject to the rules of the agency, but retains all rights to release and periodic court review granted by this subchapter. [PL 2007, c. 319, §11 (AMD).]

2. Powers of chief administrative officer. The chief administrative officer of any psychiatric hospital or institution operated by a federal agency in which the person is hospitalized has, with respect to the person, the same powers as the chief administrative officer of psychiatric hospitals or the commissioner within this State with respect to detention, custody, transfer, conditional release or discharge of patients. [PL 2007, c. 319, §11 (AMD).]

3. Court jurisdiction. Every order of hospitalization issued under this section is conditioned on the retention of jurisdiction in the courts of this State to, at any time:

A. Inquire into the mental condition of a person hospitalized; and [PL 1983, c. 459, §7 (NEW).]

B. Determine the necessity for continuance of the person's hospitalization. [PL 2007, c. 319, §11 (AMD).]

[PL 2007, c. 319, §11 (AMD).]

SECTION HISTORY

PL 1983, c. 459, §7 (NEW). PL 2007, c. 319, §11 (AMD).

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