

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

Act 1416 of the Regular Session

1 State of Arkansas
2 86th General Assembly
3 Regular Session, 2007
4

As Engrossed: H3/23/07

A Bill

HOUSE BILL 2681

5 By: Representative D. Johnson
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For An Act To Be Entitled

8
9 *AN ACT TO CLARIFY THE CRITERIA FOR INVOLUNTARY*
10 *ADMISSION ORDERS FOR PERSONS IN NEED OF MENTAL*
11 *HEALTH SERVICES; AND FOR OTHER PURPOSES.*
12

Subtitle

13
14 *AN ACT TO CLARIFY THE CRITERIA FOR*
15 *INVOLUNTARY ADMISSION ORDERS FOR PERSONS*
16 *IN NEED OF MENTAL HEALTH SERVICES.*
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
20

21 *SECTION 1. Arkansas Code § 20-47-207(c), concerning criteria for*
22 *involuntary admission to a mental health treatment facility, is amended to*
23 *read as follows:*

24 *(c) Involuntary Admission Criteria. A person shall be eligible for*
25 *involuntary admission if he or she is in such a mental condition as a result*
26 *of mental illness, disease, or disorder that he or she poses a clear and*
27 *present danger to himself or herself or others:*

28 *(1) As used in this subsection, "a clear and present danger to*
29 *himself or herself" is established by demonstrating that:*

30 *(A) The person has inflicted serious bodily injury on*
31 *himself or herself or has attempted suicide or serious self-injury, and there*
32 *is a reasonable probability that the conduct will be repeated if admission is*
33 *not ordered;*

34 *(B) The person has threatened to inflict serious bodily*
35 *injury on himself or herself, and there is a reasonable probability that the*



1 conduct will occur if admission is not ordered; ~~or~~

2 (C) The person's recent behavior or behavior history
3 demonstrates that he or she so lacks the capacity to care for his or her own
4 welfare that there is a reasonable probability of death, serious bodily
5 injury, or serious physical or mental debilitation if admission is not
6 ordered; ~~and~~ or

7 (D)(i) The person's understanding of the need for
8 treatment is impaired to the point that he or she is unlikely to participate
9 in treatment voluntarily;

10 (ii) The person needs mental health treatment on a
11 continuing basis to prevent a relapse or harmful deterioration of his or her
12 condition; and

13 (iii) The person's noncompliance with treatment has
14 been a factor in the individual's placement in a psychiatric hospital,
15 prison, or jail at least two (2) times within the last forty-eight (48)
16 months or has been a factor in the individual's committing one (1) or more
17 acts, attempts, or threats of serious violent behavior within the last forty-
18 eight (48) months.

19 (2) As used in this subsection, "a clear and present danger to
20 others" is established by demonstrating that the person has inflicted,
21 attempted to inflict, or threatened to inflict serious bodily harm on
22 another, and there is a reasonable probability that the conduct will occur if
23 admission is not ordered.

24
25 /s/ D. Johnson

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27 APPROVED: 4/5/2007