

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.

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

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 AN ACT TO CLARIFY THE CRITERIA FOR
14 INVOLUNTARY ADMISSION ORDERS FOR PERSONS
15 IN NEED OF MENTAL HEALTH SERVICES.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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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
36 conduct will occur if admission is not ordered; ~~or~~



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

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

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

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

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

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24 /s/ D. Johnson
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