

2006 SESSION

INTRODUCED

063396808

SENATE BILL NO. 35

Offered January 11, 2006

Prefiled December 21, 2005

A BILL to amend and reenact § 19.2-182.4 of the Code of Virginia, relating to not guilty by reason of insanity; temporary visits.

Patron—Reynolds

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That § 19.2-182.4 of the Code of Virginia is amended and reenacted as follows:

§ 19.2-182.4. Confinement and treatment; interfacility transfers; out-of-hospital visits; notice of change in treatment.

Upon commitment of an acquittee for inpatient hospitalization, the Commissioner shall determine the appropriate placement for him, based on his clinical needs and security requirements. The Commissioner may make interfacility transfers and treatment and management decisions regarding acquittees in his custody without obtaining prior approval of or review by the committing court. If the Commissioner is of the opinion that a temporary visit from the hospital would be therapeutic for the acquittee and that such visit would pose no ~~substantial~~ danger to others, the Commissioner may ~~grant such petition the committing court for court approval for a~~ visit not to exceed forty-eight hours. ~~No such visit shall be allowed without court approval. The court may hold a hearing on the appropriateness of granting such a visit.~~ The Commissioner shall notify the attorney for the Commonwealth for the committing jurisdiction in writing of ~~the filing of a petition for a temporary visit and of~~ changes in an acquittee's course of treatment which will involve ~~petitioning for~~ authorization for the acquittee to leave the grounds of the hospital in which he is confined.

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