

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to review the procedures for implementation of temporary detention orders.*

3 [H 2698]

4 Approved

5 **Be it enacted by the General Assembly of Virginia:**6 **1. § 1. Civil commitment procedures.**

7 *A. In order to assist the courts and other participating parties in the uniform and effective operation*
8 *of the Commonwealth's involuntary civil commitment statutes, except those statutes governing the civil*
9 *commitment of sexually violent predators, the Secretary of Public Safety, in consultation with the*
10 *Secretary of Health and Human Resources and the Executive Secretary of the Supreme Court, shall*
11 *appoint a committee on civil commitment procedures to establish statewide policies and guidelines that*
12 *identify the party or parties responsible for the safety and security of individuals who are the subject of*
13 *or who participate in involuntary detention and admission activities. These activities include*
14 *transportation; custody of persons under judicial orders; medical evaluation, screening and treatment;*
15 *and detention services. Such policies and guidelines shall recognize the varying resources of localities*
16 *and the varying conditions and needs of individuals subject to temporary detention orders and protect*
17 *their security; protect the security of patients, staff and employees of facilities providing emergency*
18 *medical evaluation, treatment or detention services; and be consistent with the requirements of the*
19 *Emergency Medical Treatment and Active Labor Act, 42 U.S.C. § 1395dd, as amended, and its*
20 *implementing regulations.*

21 *B. The committee shall include representatives of the agencies in the secretariats that are involved in*
22 *these activities; community services boards; general district courts, including magistrates and special*
23 *justices; law-enforcement agencies, including police and sheriffs' departments; facilities and practitioners*
24 *providing emergency medical evaluations, treatment or temporary detention; state mental health*
25 *facilities; local governments; and other entities, as necessary.*

26 *C. The committee shall report these policies and guidelines to the Secretaries by October 1, 2003,*
27 *and include recommendations for any legislative actions needed to implement the policies and*
28 *guidelines. These policies and guidelines shall be used by the applicable local representatives or*
29 *counterparts of the agencies and organizations represented on the committee to develop local*
30 *procedures. Such representatives or counterparts shall review the local procedures at least annually and*
31 *revise them as necessary.*

32 **2. That the provisions of this act shall expire on July 1, 2004.**