

~~(1) THE PERSON IS DISABLED, AS DEFINED IN §13-704;~~

(1) FOR THE PURPOSE OF THIS SECTION THE PERSON LACKS CAPACITY UNDER THE STANDARDS ENUMERATED IN § 13-705 (B);

(2) AN EMERGENCY EXISTS, AS DEFINED IN §13-101; AND

(3) NO PERSON AUTHORIZED BY LAW OR COURT ORDER TO GIVE CONSENT FOR THE PERSON IS AVAILABLE TO CONSENT TO EMERGENCY SERVICES.

(C) IN ISSUING AN EMERGENCY ORDER, THE COURT SHALL ADHERE TO THE FOLLOWING LIMITATIONS:

(1) ONLY SUCH PROTECTIVE SERVICES AS ARE NECESSARY TO REMOVE THE CONDITIONS CREATING THE EMERGENCY SHALL BE ORDERED; THE COURT SHALL SPECIFICALLY DESIGNATE THE APPROVED SERVICES IN ITS ORDER;

(2) PROTECTIVE SERVICES AUTHORIZED BY AN EMERGENCY ORDER SHALL NOT INCLUDE HOSPITALIZATION OR A CHANGE OF RESIDENCE UNLESS THE COURT SPECIFICALLY FINDS SUCH ACTION IS NECESSARY AND GIVES SPECIFIC APPROVAL FOR SUCH ACTION IN ITS ORDER;

(3) PROTECTIVE SERVICES MAY BE PROVIDED THROUGH AN EMERGENCY ORDER FOR ONLY 72 HOURS. THE ORIGINAL ORDER MAY BE RENEWED ONCE FOR A 72-HOUR PERIOD UPON A SHOWING TO THE COURT THAT CONTINUATION OF THE ORIGINAL ORDER IS NECESSARY TO REMOVE THE EMERGENCY;

(4) IN ITS ORDER THE COURT SHALL APPOINT THE PETITIONER, ANOTHER INTERESTED PERSON, THE DIRECTOR, OR THE STATE DIRECTOR ON AGING AS TEMPORARY GUARDIAN OF THE PERSON WITH RESPONSIBILITY FOR THE PERSON'S WELFARE AND AUTHORITY TO GIVE CONSENT FOR THE PERSON FOR THE APPROVED PROTECTIVE SERVICES UNTIL THE EXPIRATION OF THE ORDER;

(5) NOTWITHSTANDING THE PROVISIONS OF SUBSECTIONS (3) AND (4) ABOVE, THE COURT MAY EXTEND THE TERMS OF THE EMERGENCY ORDER AND THE APPOINTMENT OF THE TEMPORARY GUARDIAN UNTIL APPOINTMENT OF A GUARDIAN OF THE PERSON PURSUANT TO §13-705, UPON PETITION OF THE TEMPORARY GUARDIAN, THE DIRECTOR, OR THE STATE DIRECTOR ON AGING, AS APPROPRIATE, AND AFTER A SHOWING THAT THE CONDITIONS FOUND TO EXIST IN SUBSECTION (E) ABOVE WILL PROBABLY CONTINUE BEYOND THE EXPIRATION OF THE EXTENDED EMERGENCY ORDER. SUCH PETITION SHALL BE FILED BEFORE THE EXPIRATION OF THE SIX-DAY PERIOD PROVIDED FOR IN SUBSECTION (3) ABOVE AND SHALL BE ACCOMPANIED BY A PETITION FOR APPOINTMENT OF A GUARDIAN OF THE PERSON PURSUANT TO §13-705. SUCH PETITION FOR APPOINTMENT OF A GUARDIAN OF THE PERSON SHALL BE HEARD ON AN EXPEDITED BASIS;