

ulations. No person may be discriminated against on the basis of indigence.

(c) The alcoholism programs and facilities of the State and its subdivisions shall be staffed with an adequate number of qualified personnel.

303. Detoxification.

(a) Any person who is intoxicated in a public place may be taken or sent to his home or to a public or private health facility by the police or other authorized personnel; provided, that the police may take reasonable measures to ascertain that commercial transportation used for such purposes is paid for by the person in advance.

(b) Any person who is intoxicated in a public place and either incapacitated or whose health is in immediate danger, if not handled under subsection (a), shall be taken by the police or other authorized personnel to a detoxification center.

(1) A person shall be deemed incapacitated when he is unable to make a rational decision about accepting assistance.

(2) Any intoxicated person may voluntarily come to a detoxification unit for medical attention but incapacitated persons and others in immediate medical danger shall be given priority.

(3) The physician then in charge (medical officer) of the unit shall have the authority to determine whether a person shall be admitted to the center as a patient, or referred to another appropriate facility for care and treatment, or denied referral or admission. If he is admitted as a patient the medical officer shall have the authority to require him to remain at the unit until he is sober and no longer intoxicated or incapacitated, but in any event no longer than 5 days after his admission as a patient, except as provided in Section 306 hereof. A patient may consent to remain at a detoxification unit for as long as the medical officer believes warranted. If the medical officer concludes that the person should receive treatment at a different facility he shall arrange for such treatment and for transportation to that facility. If the person is not either admitted to a detoxification center or referred to another facility and has no funds, authorized personnel shall offer to take him to his residence if he has one, or if he has no residence shall offer to attempt to find and to take him to some other facility where he may obtain shelter. A detoxification center may provide medical help to a person who is not admitted as a patient. The medical officer shall make a bona fide attempt to notify the family or next of kin when a patient is admitted to a facility for treatment, but is not required to do so if the patient requests him not to.

(c) The police or other authorized personnel who act under (a) or (b) of this section shall be considered as acting in the conduct of their official duty.

(d) An intoxicated person taken into custody by the police for a criminal offense shall immediately be taken to a detoxification unit or other appropriate medical facility when his condition appears to be, or become, such as to require emergency medical treatment.

(e) The police shall make every reasonable effort to protect the health and safety of intoxicated persons, in accordance with the in-