

promptly released unless good cause for a contrary determination as to dangerousness is shown by the State's attorney.

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(c) Every patient in every Veterans' Administration hospital or facility licensed by or under the jurisdiction of the Department shall, at all reasonable hours, have access to telephone and shall be permitted to telephone any person [who has advised the facility, in writing, of his willingness to receive such telephone communications]. When, for medical or administrative reasons, patients are prohibited from having telephone communications, such prohibition must be made a permanent part of the patient's record and must be signed by a physician.

(d) Every patient in every facility licensed by or under the jurisdiction of the Department shall be entitled to receive visits from an attorney or clergyman or physician of his choice at all reasonable hours. Each facility shall establish reasonable visiting hours for all other persons who may visit the patient if the patient desires to see them.

When medically justified, a patient may be restricted from receiving visitors, other than his attorney or clergyman or personal physician, if such restriction is made a permanent part of his patient records and is signed by a physician. Refusals of patients to see visitors shall also be made permanent parts of patients' records.

(e) Restraints shall not be applied to a patient unless the head of the facility or hospital or a member of the medical staff determines that they are necessary for the safety of the patient or others. Each use of a restraint and reason therefor shall be made part of the clinical record of the patient under the signature of the head of the facility or a member of the medical staff.

(f) The head of a facility or hospital shall have the physical and mental condition of every patient assessed as frequently as necessary, but not less often than annually.

(g) The head of a State facility or hospital shall obtain consent for a surgical operation necessary to save the life, health, eyesight, hearing, or a limb of any patient, from the proper relative or guardian. If such persons cannot be found after diligent search, or in the case of an emergency, the head of the hospital, or facility upon being notified of the pertinent medical facts, may give such consent. The Commissioner shall be notified forthwith, of such emergency operation. When in the opinion of the head of the facility or hospital having custody of the patient, a patient who has not been adjudged legally incompetent has sufficient capacity to make a responsible decision, the patient's consent shall be obtained before such surgery. In such cases the patient's consent shall be determinative and no other consent is necessary; provided, however, that in the case of a minor, consent shall also be obtained from his parent, guardian, or custodian. No person who consents to the performance of a surgical operation pursuant to the provisions of this subsection shall be civilly or criminally liable for the performance or the manner of performing such operation. No person who acts within the scope of the authority conferred by such consent in the course of discharging his official duties shall be civilly or criminally liable for the performance of such