

## 10-802. DUTY OF DIRECTOR.

IF THE DIRECTOR FINDS THAT ANY INDIVIDUAL IS HELD BY A FACILITY IN A MANNER CONTRARY TO LAW, THE DIRECTOR SHALL BEGIN APPROPRIATE PROCEEDINGS FOR RELEASE OF THAT INDIVIDUAL.

REVISOR'S NOTE: This section is new language derived from the second sentence of former Article 59, § 8(g), which related to individuals held by a "private facility".

This section is revised to apply to the holding of an individual by any facility, whether public or private. This revision is based on the first sentence of former Article 59, § 8(g), which stated that the Director could order the release of any individual held improperly by the Department or a public facility. This former statement was overly broad in light of provisions for court-ordered commitments of individuals; see, e.g., § 10-808 of this subtitle and the referenced Title 12 of this article. Also, the former provision authorized, rather than required, action by the Director. In light of the revision of this section, the first sentence of former Article 59, § 8(g) is deleted.

Defined terms: "Director" § 10-101  
"Facility" § 10-101 "Release" § 10-801

## 10-803. VOLUNTARY ADMISSIONS.

## (A) INFORMAL REQUEST.

AN INDIVIDUAL WHO IS ADMITTED VOLUNTARILY TO A FACILITY, ON AN INFORMAL REQUEST, MAY LEAVE THE FACILITY AT ANY TIME BETWEEN 9 A.M. AND 4 P.M., UNLESS THE ADMISSION STATUS OF THE INDIVIDUAL HAS BEEN CHANGED TO AN INVOLUNTARY ADMISSION.

## (B) FORMAL APPLICATIONS -- IN GENERAL.

(1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, AN INDIVIDUAL WHO HAS BEEN ADMITTED VOLUNTARILY, UNDER A FORMAL WRITTEN APPLICATION, MAY NOT BE HELD FOR MORE THAN 3 DAYS AFTER THE INDIVIDUAL ASKS FOR RELEASE, UNLESS THE ADMISSION STATUS OF THE INDIVIDUAL HAS BEEN CHANGED TO AN INVOLUNTARY ADMISSION.

(2) IF THE INDIVIDUAL HAS BEEN ADMITTED VOLUNTARILY, UNDER A FORMAL WRITTEN APPLICATION, PRIMARILY FOR CARE OR TREATMENT OF ALCOHOLISM, THE INDIVIDUAL MAY NOT BE HELD FOR MORE THAN 7 DAYS AFTER THE INDIVIDUAL ASKS FOR