

(E) NOTHING IN THIS COMPACT SHALL BE CONSTRUED TO INVALIDATE ANY RECIPROCAL AGREEMENT BETWEEN A PARTY STATE AND A NON-PARTY STATE RELATING TO INSTITUTIONALIZATION, CARE OR TREATMENT OF THE MENTALLY ILL, MENTALLY DEFICIENT, OR ANY STATUTORY AUTHORITY PURSUANT TO WHICH SUCH AGREEMENT MAY BE MADE.

#### ARTICLE VIII

(A) NOTHING IN THIS COMPACT SHALL BE CONSTRUED TO ABRIDGE, DIMINISH, OR IN ANY WAY IMPAIR THE RIGHTS, DUTIES, AND RESPONSIBILITIES OF ANY PATIENT'S GUARDIAN ON HIS OWN BEHALF OR IN RESPECT OF ANY PATIENT FOR WHOM HE MAY SERVE, EXCEPT THAT WHERE THE TRANSFER OF ANY PATIENT TO ANOTHER JURISDICTION MAKES ADVISABLE THE APPOINTMENT OF A SUPPLEMENTAL OR SUBSTITUTE GUARDIAN, ANY COURT OF COMPETENT JURISDICTION IN THE RECEIVING STATE MAY MAKE SUCH SUPPLEMENTAL OR SUBSTITUTE APPOINTMENT AND THE COURT WHICH APPOINTED THE PREVIOUS GUARDIAN SHALL UPON BEING DULY ADVISED OF THE NEW APPOINTMENT, AND UPON THE SATISFACTORY COMPLETION OF SUCH ACCOUNTING AND OTHER ACTS AS SUCH COURT MAY BY LAW REQUIRE, RELIEVE THE PREVIOUS GUARDIAN OF POWER AND RESPONSIBILITY TO WHATEVER EXTENT SHALL BE APPROPRIATE IN THE CIRCUMSTANCES; PROVIDED, HOWEVER, THAT IN THE CASE OF ANY PATIENT HAVING SETTLEMENT IN THE SENDING STATE, THE COURT OF COMPETENT JURISDICTION IN THE SENDING STATE SHALL HAVE THE SOLE DISCRETION, TO RELIEVE A GUARDIAN APPOINTED BY IT OR CONTINUE HIS POWER AND RESPONSIBILITY, WHICHEVER IT SHALL DEEM ADVISABLE. THE COURT IN THE RECEIVING STATE MAY IN ITS DISCRETION, CONFIRM OR REAPPOINT THE PERSON OR PERSONS PREVIOUSLY SERVING AS GUARDIAN IN THE SENDING STATE IN LIEU OF MAKING A SUPPLEMENTAL OR SUBSTITUTE APPOINTMENT.

(B) THE TERM "GUARDIAN" AS USED IN PARAGRAPH (A) OF THIS ARTICLE SHALL INCLUDE ANY GUARDIAN, TRUSTEE, LEGAL COMMITTEE, CONSERVATOR, OR OTHER PERSON OR AGENCY HOWEVER DENOMINATED WHO IS CHARGED BY LAW WITH POWER TO ACT FOR OR RESPONSIBILITY FOR THE PERSON OR PROPERTY OF A PATIENT.

#### ARTICLE IX

(A) NO PROVISION OF THIS COMPACT EXCEPT ARTICLE V SHALL APPLY TO ANY PERSON INSTITUTIONALIZED WHILE UNDER SENTENCE IN A PENAL OR CORRECTIONAL INSTITUTION OR WHILE SUBJECT TO TRIAL ON A CRIMINAL CHARGE, OR WHOSE INSTITUTIONALIZATION IS DUE TO THE COMMISSION OF AN OFFENSE FOR WHICH, IN THE ABSENCE OF MENTAL ILLNESS OR MENTAL DEFICIENCY, SAID PERSON WOULD BE SUBJECT TO INCARCERATION IN A PENAL OR CORRECTIONAL INSTITUTION.

(B) TO EVERY EXTENT POSSIBLE, IT SHALL BE THE POLICY OF STATES PARTY TO THIS COMPACT THAT NO PATIENT SHALL BE PLACED OR DETAINED IN ANY PRISON, JAIL OR LOCKUP, BUT SUCH PATIENT SHALL, WITH ALL EXPEDITION, BE TAKEN TO A SUITABLE INSTITUTIONAL FACILITY FOR MENTAL ILLNESS OR MENTAL