

(A) (1) A COURT MAY COMMIT A DEFENDANT TO THE DEPARTMENT IF:

(I) THE COURT FINDS IT IS NOT CLINICALLY APPROPRIATE FOR THE DEFENDANT TO BE EVALUATED IN A DETENTION FACILITY OR AN APPROPRIATE OUTPATIENT FACILITY; OR

(II) AFTER AN EVALUATION IN A DETENTION FACILITY OR AN OUTPATIENT FACILITY, THE DEPARTMENT RECOMMENDS A COMPREHENSIVE INPATIENT EVALUATION OF THE DEFENDANT.

(2) BEFORE A COURT COMMITS A DEFENDANT TO THE DEPARTMENT FOR EVALUATION, THE COURT SHALL CONSULT WITH THE ADMINISTRATION.

(B) THE DEPARTMENT SHALL PROVIDE THE SERVICES REQUIRED BY THIS SECTION.

(C) THE DEPARTMENT SHALL HAVE THE OBLIGATION TO ENGAGE IN REASONABLE EFFORTS TO FACILITATE THE ADMISSION OF A DEFENDANT TO AN APPROPRIATE EVALUATION FACILITY.

(D) UNLESS THE COURT ALLOWS THE DEFENDANT TO PROVIDE THE DEFENDANT'S OWN TRANSPORTATION, ON COMMITMENT OR RELEASE OF A DEFENDANT UNDER THIS SUBTITLE, THE COURT SHALL ORDER TRANSPORTATION BY LAW ENFORCEMENT OFFICIALS, DETENTION CENTER STAFF, OR SHERIFF'S DEPARTMENT STAFF WITHIN THE LOCAL JURISDICTION.

(E) (1) A COMMITMENT UNDER THIS SECTION SHALL NOT BE FOR MORE THAN 7 DAYS UNLESS THE MEDICAL CONDITION OF A DEFENDANT WARRANTS AN EXTENSION OF A MAXIMUM OF 14 DAYS.

(2) EXCEPT DURING THE FIRST 72 HOURS AFTER COMMITMENT, THE DIRECTOR OR A DESIGNEE OF THE DIRECTOR MAY TERMINATE THE COMMITMENT IF THE DIRECTOR OR THE DESIGNEE DETERMINES THAT CONTINUED COMMITMENT:

(I) IS NOT IN THE BEST INTEREST OF AN INDIVIDUALS; OR

(II) DOES NOT SERVE ANY USEFUL PURPOSE.

(F) BEFORE AN INDIVIDUAL IS RELEASED FROM COMMITMENT UNDER THIS SECTION, THE DIRECTOR OR A DESIGNEE OF THE DIRECTOR SHALL GIVE THE JUDGE THAT ORDERED THE COMMITMENT NOTICE OF THE PROPOSED DATE AND TIME OF RELEASE.

(G) IN THE EVENT AN INDIVIDUAL COMMITTED UNDER THIS SECTION LEAVES AN EVALUATION FACILITY WITHOUT AUTHORIZATION, THE RESPONSIBILITY OF THE DEPARTMENT IS LIMITED TO NOTIFICATION OF THE COURT THAT COMMITTED THE INDIVIDUAL AS SOON AS IT IS REASONABLY POSSIBLE.