

10-623.

(a) If the petitioner under Part IV of this subtitle is not a physician, a psychologist, a clinical social worker, a licensed clinical professional counselor, CLINICAL NURSE SPECIALIST IN PSYCHIATRIC AND MENTAL HEALTH NURSING, PSYCHIATRIC NURSE PRACTITIONER, a health officer or designee of a health officer, or a peace officer, the petitioner shall present the petition to the court for immediate review.

(b) After review of the petition, the court shall endorse the petition if the court finds probable cause to believe that the emergency evaluatee has shown the symptoms of a mental disorder and that the individual presents a danger to the life or safety of the individual or of others.

(c) If the court does not find probable cause, the court shall indicate that fact on the petition, and no further action may be taken under the petition.

10-624.

(a) (1) A peace officer shall take an emergency evaluatee to the nearest emergency facility if the peace officer has a petition under Part IV of this subtitle that:

(i) Has been endorsed by a court within the last 5 days; or

(ii) Is signed and submitted by a physician, a psychologist, a clinical social worker, a licensed clinical professional counselor, CLINICAL NURSE SPECIALIST IN PSYCHIATRIC AND MENTAL HEALTH NURSING, PSYCHIATRIC NURSE PRACTITIONER, a health officer or designee of a health officer, or a peace officer.

(2) After a peace officer takes the emergency evaluatee to an emergency facility, the peace officer need not stay unless, because the emergency evaluatee is violent, a physician asks the supervisor of the peace officer to have the peace officer stay.

(3) A peace officer shall stay until the supervisor responds to the request for assistance. If the emergency evaluatee is violent, the supervisor shall allow the peace officer to stay.

(4) If a physician asks that a peace officer stay, a physician shall examine the emergency evaluatee as promptly as possible.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2004.

Approved May 11, 2004.

---