

**HOUSE BILL NO. 173**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIFTH LEGISLATURE - FIRST SESSION

BY THE HOUSE HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE

Introduced: 3/5/07

Referred: Health, Education and Social Services, Judiciary

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act relating to court approval of involuntary administration of psychotropic  
2 medication; and providing for an effective date."

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 \* **Section 1.** AS 47.30.839(g) is repealed and reenacted to read:

5 (g) The court shall approve the proposed use by a facility of a psychotropic  
6 medication if the court determines, by clear and convincing evidence, that

7 (1) the patient does not have the capacity to give or withhold informed  
8 consent regarding the patient's treatment as described under AS 47.30.837 and did not  
9 have the capacity at the time of previously expressed wishes under (d)(2) of this  
10 section;

11 (2) the proposed use of the psychotropic medication is in the patient's  
12 best interest; and

13 (3) there is no less intrusive alternative treatment available.

14 \* **Sec. 2.** AS 47.30.839 is amended by adding a new subsection to read:

1           (j) The court's approval under (g) of this section applies to the patient's initial  
2           period of commitment if the decision is made during that time period. If the decision is  
3           made during a period for which the initial commitment has been extended, the court's  
4           approval under (g) of this section applies to the period for which commitment is  
5           extended.

6           \* **Sec. 3.** This Act takes effect immediately under AS 01.10.070(c).