

Introduced: 3/10/69
Referred: Health, Welfare
and Education and Judiciary

BY THE HEALTH, WELFARE
AND EDUCATION COMMITTEE

1 IN THE HOUSE

2 HOUSE BILL NO. 275

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to mentally ill individuals."

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

8 * Section 1. AS 47.30.020 is amended by adding a new subsection to read:

9 (b) In the case of a voluntary commitment of an individual habitu-
10 ated to the excessive use of drugs or alcohol, the individual shall
11 agree to remain for not less than 90 days or a shorter time which the
12 head of the hospital considers necessary and adequate. After that
13 time he shall be discharged in accordance with sec. 50 of this chapter.

14 * Sec. 2. AS 47.30.050(a) is amended to read:

15 (a) An individual, 30 days after admission to a designated hos-
16 pital under sec. 20 of this chapter, except as provided in sec. 20(b) of
17 this chapter, or an individual admitted to a designated hospital under
18 sec. 30 of this chapter, shall be immediately discharged upon his re-
19 quest or upon the request in writing of an interested party or peace
20 officer, except that

21 (1) if admitted upon his own application, his discharge may
22 be conditioned upon his agreement;

23 (2) if under 18 years of age and admitted under sec. 20 of
24 this chapter, his discharge before becoming 18 years of age may be con-
25 ditioned upon the consent of his parent or guardian; and

26 (3) if the head of a designated hospital, within 48 hours
27 after receiving the request, files with the superior court a certifica-
28 tion that in his opinion the discharge of the patient would be unsafe
29 to the patient or others, the discharge may be postponed for not more

1 than five days to begin commitment proceedings under sec. 70 of this
2 chapter; if the court finds that because of justifiable circumstances,
3 proceedings for judicial hospitalization cannot reasonably be insti-
4 tuted in that time, the discharge may be postponed for not more than
5 15 days.

6 * Sec. 3. AS 47.30.340(10) is amended to read:

7 (10) "mentally ill individual" means an individual having a
8 psychosis or senile changes which substantially impair his mental health
9 to the degree that he is a danger to himself or others; or a mentally
10 deficient and severely mentally retarded person, or a person habituated
11 to the excessive use of drugs or alcohol, whom the commissioner of
12 health and welfare or his designee admits for treatment subject, how-
13 ever, to all the other admission and discharge procedures provided for
14 in secs. 10 - 340 of this chapter; [THE DEFINITION DOES NOT INCLUDE AN
15 INDIVIDUAL SUFFERING FROM ACUTE ALCOHOLISM OR DRUG ADDICTION;]
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