

PROPOSED  
SENATE AMENDMENTS TO S.B. 1710  
(Reference to printed bill)

1 Page 37, between lines 12 and 13, insert:

2 "Sec. 28. Section 36-541, Arizona Revised Statutes, is amended to  
3 read:

4 36-541. Mandatory local treatment; placement at state hospital

5 A. A patient who is ordered by a court to undergo treatment and who  
6 is not hospitalized in the state hospital at the time of the order shall  
7 undergo treatment for at least twenty-five days in a local mental health  
8 treatment agency that is geographically convenient for the patient before  
9 being hospitalized in the state hospital. This section does not apply if  
10 the court finds, at a hearing on court-ordered treatment, that the  
11 patient's present condition and history demonstrate that the patient will  
12 not benefit from the required period of treatment in a local mental health  
13 treatment agency or that the state hospital provides a program that is  
14 specific to the needs of the patient and is unavailable in the local mental  
15 health treatment agency, or when there is no local mental health treatment  
16 agency readily available to the patient. Such a finding shall be based at  
17 least on the annual written description by the state hospital of programs  
18 and services available and appropriate written reports from the medical  
19 director of the local mental health treatment agency. The patient may be  
20 immediately hospitalized at the state hospital whenever the court  
21 determines that this section does not apply.

22 B. A patient who is ordered by a court to undergo treatment may be  
23 admitted for treatment if the patient is accepted by the superintendent of  
24 the state hospital for treatment at the state hospital or if the court

1 orders placement at the state hospital pursuant to subsection A or C of  
2 this section.

3 C. During any period of court-ordered treatment, the medical  
4 director of the local mental health treatment agency assigned to supervise  
5 and administer the patient's treatment program may file a motion requesting  
6 the court to amend the treatment order to place the patient for treatment  
7 at the state hospital. After a hearing, if the court finds that the  
8 patient's present condition and history demonstrate that the patient will  
9 not benefit from a continued period of treatment in or by a local mental  
10 health treatment agency, either as an inpatient or an outpatient, or that  
11 the state hospital provides a program that is specific to the needs of the  
12 patient and is unavailable in a local mental health treatment agency, and  
13 that the least restrictive placement to meet the needs of the patient for  
14 the foreseeable future is placement in the state hospital ~~and there is a~~  
15 ~~legally available funded bed in the state hospital~~, the court may amend the  
16 original treatment order authorizing the placement of the patient at the  
17 state hospital pursuant to section 36-540, subsection A, paragraph 2 or 3.  
18 Within five days after receiving notice from the court, the superintendent  
19 shall notify the court whether a bed is available in the state hospital."

20 Renumber to conform

21 Amend title to conform

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C: MH