

TITLE 3: HUMAN RESOURCES
DIVISION 2: HEALTH

§ 2504. Detention for Evaluation; Individual Assessments Prior to Admission to Determine Appropriateness of Detention; Services Rendered.

(a) Prior to admitting a person to the evaluation facility for evaluation and treatment pursuant to the 72-hour emergency detention provision of 3 CMC § 2503, the mental health professional or attending physician shall assess the individual in person to determine the appropriateness of the involuntary detention, consistent with the least restrictive alternative principle and commitment criteria of this section.

(b) Detention of a person under this 72-hour provision is appropriate if and only if the individual is mentally ill and presents a danger to self or others. Detention of a person under this 72-hour provision does not apply to persons allegedly gravely disabled. For purposes of this section, the recent acts evidencing danger to self or others must be within 24 hours of the application for commitment and be based on statements of persons with first-hand knowledge, competent to testify.

(c) If the evaluation facility admits the person under this section, it may detain him for evaluation and treatment for a period not to exceed three judicial days; provided, however, that if a person is admitted under this section on a non-judicial day, detention may only be for 72 hours, so long as the final 24 hours occurs during a judicial day.

(d) If the person does not meet the standards for commitment pursuant to this section and 3 CMC § 2503, the person shall not be admitted involuntarily and shall be offered crisis intervention and referral for other services, as needed.

Source: PL 8-36, § 6, modified.