

**TITLE 3: HUMAN RESOURCES**  
**DIVISION 2: HEALTH**

**§ 2556. Personal Rights of Persons Being Assessed or Evaluated or Receiving Care or Treatment at an Evaluation or Treatment Facility.**

(a) Subject to the provisions of subsections (b) and (c) of this section, a person has the following rights:

(1) To receive and send sealed correspondence. No incoming or outgoing correspondence shall be opened, delayed, held, or censored by the staff of the evaluation or treatment facility.

(2) To have access to letter-writing materials, including postage, and to have staff members of the facility assist the patient if the patient is unable to write, prepare, and mail correspondence.

(3) To have ready access to a telephone, both to make and receive calls in privacy.

(4) To have frequent and convenient opportunities to meet with visitors. A patient shall have the right to see an attorney, clergyman or physician at any time.

(5) To wear his or her own clothes, keep and use personal possessions, and keep and be allowed to spend a reasonable sum of his or her own money.

(6) To not be fingerprinted unless required by other provisions of law and to remain silent.

(7) To exercise all civil rights without reprisal, including denial of appropriate treatment and the right to execute instruments and to vote, unless he has lost such rights by other lawful means or has been adjudicated incompetent to exercise the right and not been restored to legal capacity.

(b) Except as provided in subsection (c) of this section, the rights listed above may be denied for good cause only for a specific limited and reasonable period of time by a mental health professional with the concurrence of an attending physician. Denial of any of these rights and the reason therefore will be entered into the patient's treatment record. Information pertaining to a denial of these rights shall be made available to the patient or his attorney upon request.

(c) Those persons committed pursuant to involuntary criminal commitment procedures may have the above rights limited for reasonable security considerations pursuant to rules promulgated and adopted by the Director of Public Health and Environmental Services.

(d) Photographs may not be taken except for identification and for other administrative or police investigation purposes. Such photographs are confidential and will not be released except pursuant to court order. No other non-medical photographs will be taken or used without appropriate consent or authorization.

(e) If the patient declines to exercise his rights, the staff of the facility shall make reasonable efforts to ensure that the patient's guardian or family is notified of an admission, voluntary or otherwise.

**Source:** PL 8-38, § 6, modified.

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**Commission Comment:** With respect to the reference to the “Director of Public Health and Environmental Services,” see Executive Order 94-3 (effective August 23, 1994), reorganizing the executive branch, changing agency names and official titles, and effecting other changes, set forth in the Commission comment to 1 CMC § 2001.