

By: Chamberlin

To: Public Health and  
Welfare; Judiciary

SENATE BILL NO. 3023

1 AN ACT TO AMEND SECTION 41-21-77, MISSISSIPPI CODE OF 1972,  
2 TO REVISE THE TIME IN WHICH A MENTALLY ILL PATIENT MUST BE  
3 TRANSFERRED TO A FACILITY; AND FOR RELATED PURPOSES.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

5 SECTION 1. Section 41-21-77, Mississippi Code of 1972, is  
6 amended as follows:[CSQ1]

7 41-21-77. If admission is ordered at a treatment facility,  
8 the sheriff, his deputy or any other person appointed or  
9 authorized by the court shall immediately deliver the respondent  
10 to the director of the appropriate institution; provided, however,  
11 that no person shall be so delivered or admitted until the  
12 director of the admitting institution determines that facilities  
13 and services are available; provided further, that the transfer  
14 shall be within forty-eight (48) hours of the order. Persons who  
15 have been ordered committed and are awaiting admission may be  
16 given any \* \* \* treatment in the facility by a licensed physician  
17 as is indicated by standard medical practice. The director of the  
18 admitting facility shall assume the financial responsibility for  
19 treatment, care and housing for mentally ill patients from the  
20 date of the order. The clerk shall provide the director of the  
21 admitting institution with a certified copy of the court order, a  
22 certified copy of the physicians' and any psychologist's  
23 certificate, a certified copy of the affidavit, and any other  
24 information available concerning the physical and mental condition  
25 of the respondent; provided, upon notification from the United  
26 States Veterans Administration or other agency of the United

27 States government, that facilities are available and the  
28 respondent is eligible for care and treatment therein, the court  
29 may enter an order for delivery of the respondent to or retention  
30 by the Veterans Administration or other agency of the United  
31 States government, and, in such cases such chief officer to whom  
32 the respondent is so delivered or by whom he is retained \* \* \*,  
33 with respect to the respondent, shall be vested with the same  
34 powers as the director of the Mississippi State Hospital at  
35 Whitfield, or the East Mississippi State Hospital at Meridian,  
36 with respect to retention and discharge of the respondent.

37 SECTION 2. This act shall take effect and be in force from  
38 and after July 1, 2000.