

202A.0815 Criteria for court-ordered assisted outpatient treatment. (Effective until October 1, 2026)

No person shall be court-ordered to assisted outpatient mental health treatment unless the person:

- (1) Is diagnosed with a serious mental illness;
- (2) Has a history of repeated nonadherence with mental health treatment, which has:
 - (a) At least twice within the last forty-eight (48) months, been a significant factor in necessitating hospitalization or arrest of the person; or
 - (b) Within the last twenty-four (24) months, resulted in an act, threat, or attempt at serious physical injury to self or others;
- (3) Is unlikely to adequately adhere to outpatient treatment on a voluntary basis based on a qualified mental health professional's:
 - (a) Clinical observation; and
 - (b) Identification of specific characteristics of the person's clinical condition that significantly impair the person's ability to make and maintain a rational and informed decision as to whether to engage in outpatient treatment voluntarily; and
- (4) Is in need of court-ordered assisted outpatient treatment as the least restrictive alternative mode of treatment presently available and appropriate.

Effective: July 14, 2022

History: Amended 2022 Ky. Acts ch. 32, sec. 2, effective July 14, 2022. -- Amended 2020 Ky. Acts ch. 29, sec. 1, effective July 15, 2020. -- Created 2017 Ky. Acts ch. 154, sec. 5, effective June 29, 2017.