

202A.410 Duty of administrator to warn law enforcement agency, prosecutor, and Department of Corrections upon discharge, transfer, or escape of involuntarily committed patient charged or convicted of a violent crime -- Immunity for acting in good faith -- Notification of victim -- Administrative regulations.

- (1) When a patient who has been involuntarily committed to a psychiatric facility or forensic psychiatric facility and who has been charged with or convicted of a violent crime as defined in KRS 439.3401 is discharged or transferred from the facility, the administrator shall notify the law enforcement agency in the county to which the person is to be released, the prosecutor in the county where the violent crime was committed, and the Department of Corrections.
- (2) If a patient who has been involuntarily committed to a psychiatric facility or forensic psychiatric facility and who has been charged with or convicted of a violent crime as defined in KRS 439.3401 escapes from the facility, the administrator shall notify the law enforcement agency in the county in which the facility is located, the prosecutor in the county where the violent crime was committed, and the Department of Corrections.
- (3) The administrator of a psychiatric facility or forensic psychiatric facility, or the administrator's designee, who acts in good faith in making the notifications required in this section or is unable to provide the release information required, is immune from any civil liability.
- (4) The Department of Corrections shall notify, or contract with a private entity to notify, victims of crime, judges, and witnesses involved in the hearing that resulted in the involuntary commitment who have made a notification request of the discharge or escape of a patient from a psychiatric facility or forensic psychiatric facility.
- (5) The Department of Corrections and the Cabinet for Health and Family Services shall each promulgate administrative regulations under KRS Chapter 13A to carry out the duties set forth in this statute.

Effective: July 12, 2012

History: Amended 2012 Ky. Acts ch. 156, sec. 23, effective July 12, 2012. -- Amended 2005 Ky. Acts ch. 99, sec. 215, effective June 20, 2005. -- Created 1998 Ky. Acts ch. 606, sec. 80, effective July 15, 1998.