

645.030 Voluntary admission to hospital -- Transport from originating hospital to receiving hospital or psychiatric facility.

- (1) An authorized staff physician may admit for observation, diagnosis, and treatment at a hospital any child who is mentally ill or has symptoms of mental illness:
 - (a) Upon written application of a parent or other person exercising custodial control or supervision, if the child is under sixteen (16) years of age. At or before the child's admission, the child, parent, or other person shall be informed of his or her rights under KRS 645.230 and 645.240. Any child admitted under this subsection who reaches his or her sixteenth birthday while hospitalized shall consent to his or her continued hospitalization or shall request his or her release. If the child fails to choose, the hospital shall advise the court-designated worker and the parent or other person exercising custodial control or supervision;
 - (b) Upon written application by a child who is at least sixteen (16) years of age and one (1) of his or her parents or a person exercising custodial control or supervision. At or before admission, the child shall be informed of his or her right to give notice of his or her intent to leave under KRS 645.190 and his or her right to consult an attorney or his or her court-designated worker under KRS 645.130. The child may consult an attorney prior to his or her admission; or
 - (c) Upon written application by a child who is at least sixteen (16) years of age. At or before admission, the child shall be informed of his or her rights under KRS 645.190 and his or her parents' rights under KRS 645.220, 645.230 and 645.240.
- (2)
 - (a) A child who presents or is voluntarily admitted to a hospital with symptoms of mental illness may be transported from an originating hospital to a receiving hospital or psychiatric facility upon the:
 1. Order of an authorized staff physician of the originating hospital and an authorized staff physician of a receiving hospital or psychiatric facility; and
 2. Submission by the child or the child's parent or other person exercising custodial control or supervision, if the child is under sixteen (16) years of age, of a signed written agreement to be voluntarily transported.
 - (b)
 1. If the agreed-upon transport from an originating hospital has been initiated, the child with a signed written agreement to be voluntarily transported under this subsection shall not be physically released upon his or her request or the request of the child's parent or other person exercising custodial control or supervision, if the child is under sixteen (16) years of age, during the transport to the receiving hospital or psychiatric facility.
 2. After the child has been received by the receiving hospital or psychiatric facility, the child shall be released upon the child or the child's parent or other person exercising custodial control or supervision, if the child is

under sixteen (16) years of age, submitting a signed written release request, unless the child is further detained by court order.

Effective: June 29, 2021

History: Amended 2021 Ky. Acts ch. 32, sec. 2, effective June 29, 2021. -- Amended 1988 Ky. Acts ch. 350, sec. 110, effective April 10, 1988. -- Created 1986 Ky. Acts ch. 423, sec. 148, effective July 1, 1987.