

## **202A.221 Hospital care or treatment by agency of United States.**

- (1) If an individual ordered to be hospitalized pursuant to this chapter is eligible for hospital care or treatment by any agency of the United States, the court, upon receipt of certificate from such agency showing that facilities are available and that the individual is eligible for care or treatment therein, may order him to be placed in the custody of such agency for hospitalization. When any such individual is admitted pursuant to the order of such court to any hospital or institution operated by any agency of the United States within or without the state, he shall be subject to the rules and regulations of such agency. The authorized staff physician of any hospital or institution operated by such agency and in which the individual is so hospitalized shall with respect to such individuals be vested with the same powers as the authorized staff physicians of hospitals within the state with respect to detention, custody, transfer, conditional release or discharge of patients. Jurisdiction is retained in the appropriate courts of this state at any time to inquire into the mental condition of an individual so hospitalized and to determine the necessity for continuance of the hospitalization, and every order of hospitalization issued pursuant to this section is so conditioned.
- (2) An order of court of competent jurisdiction of another state or the District of Columbia authorizing hospitalization of an individual by any agency of the United States shall have the same force and effect as to the individual while in this state as in the jurisdiction in which is situated the court entering the order; the courts or the district issuing the order shall be deemed to have retained jurisdiction of the individual so hospitalized for the purpose of inquiring into his mental condition and determining the necessity for continuance of his hospitalization as is provided in subsection (1) of this section with respect to individuals ordered hospitalized by the courts of this state. Consent is hereby given to the application of the law of the district in which is located the court issuing the order for hospitalization with respect to the authority of the chief officer of any hospital or institution operated in this state by any agency of the United States to retain custody, transfer, conditionally release, or discharge the individual hospitalized.

**Effective:** July 1, 1982

**History:** Created 1982 Ky. Acts ch. 445, sec. 25, effective July 1, 1982.

**Legislative Research Commission Note.** This section was enacted in 1982 Acts, Chapter 445, which contains the following language in Section 45 of that Act: "This Act shall become effective on July 1, 1982." The Ky. Constitution, in Section 55, requires that a reason be set forth for the emergency. However, no reason is set forth in this Act. The effective date for 1982 Acts with no emergency provision is July 15, 1982.