

1 AN ACT relating to child mental health.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 645.110 is amended to read as follows:

- 4 (1) If the petitioner or other interested person desires to continue a child's
5 hospitalization beyond the initial sixty (60) days, he ***or she*** shall file a petition for
6 recertification before the original sixty (60) days expire. The procedures and rights
7 specified in KRS 645.050 to 645.100 apply to recertification petitions and hearings
8 except as otherwise specified in this section.
- 9 (2) The court may deny the petition or may authorize a continuation of the child's
10 hospitalization for a period of no more than one hundred eighty (180) days.
- 11 (3) If the child has been represented previously, the same attorney shall continue to
12 represent him ***or her*** at the recertification hearing unless the court determines
13 otherwise for good cause.
- 14 (4) The child shall be brought to the court for the initial and subsequent recertification
15 hearings unless the court determines the child's presence at all or part of the hearing
16 is likely to have a harmful effect on the child's physical or mental health.
- 17 (5) In evaluating the criteria specified in KRS 645.090 at a recertification hearing, the
18 court shall consider the child's prior treatment, the ability of the hospital to provide
19 appropriate treatment, and the likelihood of future improvement through treatment.