

§9003. Care and treatment--Article III

1. Eligibility. Whenever a person physically present in any party state is in need of institutionalization by reason of mental illness or mental deficiency, that person is eligible for care and treatment in an institution in that state irrespective of that person's residence, settlement or citizenship qualifications.

[RR 2019, c. 2, Pt. B, §112 (COR).]

2. Transfer. Subsection 1 to the contrary notwithstanding, any patient may be transferred to an institution in another state whenever there are factors based upon clinical determinations indicating that the care and treatment of said patient would be facilitated or improved thereby. Any such institutionalization may be for the entire period of care and treatment or for any portion or portions thereof. The factors referred to in this subsection shall include the patient's full record with due regard for the location of the patient's family, character of the illness and probable duration thereof, and such other factors as shall be considered appropriate.

[PL 1983, c. 459, §7 (NEW).]

3. Duties of receiving and sending states. No state shall be obliged to receive any patient pursuant to subsection 2 unless the sending state has given advance notice of its intention to send the patient; furnished all available medical and other pertinent records concerning the patient; given the qualified medical or other appropriate clinical authorities of the receiving state an opportunity to examine the patient if said authorities so wish; and unless the receiving state shall agree to accept the patient.

[PL 1983, c. 459, §7 (NEW).]

4. Priorities. In the event that the laws of the receiving state establish a system of priorities for the admission of patients, an interstate patient under this compact must receive the same priority as a local patient and must be taken in the same order and at the same time that that interstate patient would be taken if that interstate patient were a local patient.

[RR 2019, c. 2, Pt. B, §113 (COR).]

5. Review and further transfer. Pursuant to this compact, the determination as to the suitable place of institutionalization for a patient may be reviewed at any time and such further transfer of the patient may be made as seems likely to be in the best interest of the patient.

[PL 1983, c. 459, §7 (NEW).]

SECTION HISTORY

PL 1983, c. 459, §7 (NEW). RR 2019, c. 2, Pt. B, §§112, 113 (COR).

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