

§3867. Transfer from out-of-state institutions

1. Commissioner's authority. The commissioner may, upon request of a competent authority of the District of Columbia or of a state that is not a member of the Interstate Compact on Mental Health, authorize the transfer of a mentally ill person directly to a state mental health institute in Maine, if:

A. The person has resided in this State for a consecutive period of one year during the 3-year period immediately preceding commitment in the other state or the District of Columbia; [PL 2007, c. 319, §13 (AMD).]

B. The person is currently confined in a recognized institution for the care of the mentally ill as the result of proceedings considered legal by that state or by the District of Columbia; [PL 2007, c. 319, §13 (AMD).]

C. A duly certified copy of the original commitment proceedings and a copy of the person's case history is supplied; [PL 2007, c. 319, §13 (AMD).]

D. The commissioner, after investigation, considers the transfer justifiable; and [PL 1997, c. 422, §20 (AMD).]

E. All expenses of the transfer are borne by the agency requesting it. [PL 1983, c. 459, §7 (NEW).]
[PL 2007, c. 319, §13 (AMD).]

2. Receipt of patient. When the commissioner has authorized a transfer under this section, the superintendent of the state mental health institute designated by the commissioner shall receive the patient as having been regularly committed to the state mental health institute under section 3864. [PL 2007, c. 319, §13 (AMD).]

SECTION HISTORY

PL 1983, c. 459, §7 (NEW). PL 1997, c. 422, §20 (AMD). PL 2007, c. 319, §13 (AMD).

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