



General Assembly

**Substitute Bill No. 5191**

February Session, 2022



**AN ACT CONCERNING EMERGENCY INTERVENTION BY A POLICE OFFICER WHEN A PERSON IS INCAPACITATED BY DRUGS OR DUE TO A MEDICAL EMERGENCY.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 17a-683 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2022*):

3 (a) Any police officer finding a person who appears to be intoxicated  
4 in a public place and in need of help may, with such person's consent,  
5 assist such person to [his] such person's home, a treatment facility, or a  
6 hospital or other facility able to accept such person.

7 (b) Any police officer finding a person who appears to be  
8 incapacitated by alcohol, by drugs or due to a medical emergency shall  
9 take [him] such person into protective custody and have [him] such  
10 person brought forthwith (1) to a treatment facility which provides  
11 medical triage in accordance with regulations adopted pursuant to  
12 section 19a-495, or (2) to a hospital. The police, in detaining the person  
13 and in having [him] such person brought forthwith to such a treatment  
14 facility or a hospital, shall be taking [him] such person into protective  
15 custody and shall make every reasonable effort to protect [his] such  
16 person's health and safety. In taking the person into protective custody,  
17 the detaining officer may take reasonable steps to protect himself or

18 herself. A taking into protective custody under this section is not an  
19 arrest. No entry or other record shall be made to indicate that the person  
20 has been arrested or charged with a crime. For purposes of this section  
21 "medical triage" means a service which provides immediate assessment  
22 of medical emergencies and symptoms of substance abuse, the  
23 immediate care and treatment of [these] medical emergencies and such  
24 symptoms as necessary, a determination of need for treatment [,] and  
25 assistance in attaining appropriate continued treatment.

26 (c) A person who is brought to a treatment facility which provides  
27 medical triage in accordance with regulations adopted pursuant to  
28 section 19a-495 or to a hospital shall be examined by a medical officer or  
29 [his] such medical officer's designee as soon as possible. The medical  
30 officer shall determine whether the person requires inpatient treatment  
31 based upon the medical examination of the person and upon a finding  
32 that the person is incapacitated by alcohol, by drugs or due to a medical  
33 emergency.

34 (d) If the medical officer determines that the person requires inpatient  
35 treatment, the person shall be (1) admitted to, referred to or detained at  
36 a treatment facility that provides medical treatment for detoxification or  
37 a hospital, or (2) committed to a treatment facility operated by the  
38 Department of Mental Health and Addiction Services for emergency  
39 treatment pursuant to the provisions of section 17a-684. A person  
40 treated under subdivision (1) of this subsection shall be admitted as a  
41 voluntary patient, or, if necessary, detained for necessary treatment. If  
42 such person is referred to another treatment facility or another hospital,  
43 the referring facility or hospital shall arrange for [his] such person's  
44 transportation.

45 (e) Any person admitted or detained as a patient under subdivision  
46 (1) of subsection (d) of this section shall be released once [he] such  
47 person is no longer incapacitated [by alcohol] or within forty-eight  
48 hours, whichever is shorter, unless [he] such person consents to further  
49 medical evaluation or treatment.

50 (f) If a patient is admitted to a treatment facility or hospital, [his] such  
51 patient's family or next of kin shall, unless prohibited by federal law, be  
52 notified as promptly as possible. If a patient who is not incapacitated  
53 [by alcohol] requests that there be no notification, [his] such request  
54 shall be respected.

55 (g) A person who is not admitted to a treatment facility or a hospital,  
56 is not referred to another treatment facility or hospital and has no funds  
57 may be taken to [his] such person's home, if any. If [he] such person has  
58 no home, the facility shall assist [him] such person in obtaining shelter.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2022	17a-683

**PS** Joint Favorable Subst.