

Senate Bill 318

By: Senators Rhett of the 33rd, Unterman of the 45th, Burke of the 11th, Mullis of the 53rd,
Brass of the 28th and others

AS PASSED SENATE

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 1 of Chapter 1 of Title 37 of the Official Code of Georgia Annotated,
2 relating to general provisions relative to governing and regulation of mental health, so as to
3 establish a pilot program to provide for the execution of a physician's certificate for
4 emergency examination of a person for involuntary evaluation and treatment for mental
5 illness or alcohol or drug abuse based on consultation with an emergency medical technician
6 or paramedic who has personally observed such person; to provide for a definition; to
7 provide for requirements; to provide for a review of results and outcomes; to provide for an
8 evaluation report on such program; to provide for termination of the pilot program; to
9 provide for immunity; to provide for an automatic repeal; to provide for related matters; to
10 repeal conflicting laws; and for other purposes.

11 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

12 **SECTION 1.**

13 Article 1 of Chapter 1 of Title 37 of the Official Code of Georgia Annotated, relating to
14 general provisions relative to governing and regulation of mental health, is amended by
15 adding a new Code section to read as follows:

16 "37-1-7.

17 (a) As used in this Code section, the term 'department' means the Department of
18 Community Health.

19 (b) Beginning 90 days after the effective date of this Code section, the department shall
20 establish a one-year pilot program to provide for the execution of a physician's certificate
21 for emergency examination of a person for involuntary evaluation and treatment for mental
22 illness or alcohol or drug abuse based on consultation with an emergency medical
23 technician or paramedic who has personally observed such person.

24 (c) The department shall establish the parameters for the pilot program and seek the input
25 of local emergency personnel, hospitals, and mental health and addiction professionals to

26 design the pilot program. The department shall be authorized to select a minimum of two
27 counties in urban areas of the state for participation in the pilot program.

28 (d) The purpose of the pilot program shall be to determine the effects and outcomes for
29 persons in crisis or potential crisis due to mental illness or alcohol or drug abuse,
30 emergency receiving facilities, emergency personnel, local law enforcement, and the public
31 when an emergency medical technician or paramedic, based upon his or her direct
32 observations of a person who appears to be a person with mental illness requiring
33 involuntary treatment, delivers such person to an emergency receiving facility for a
34 physician's examination and certificate if warranted.

35 (e) The department shall review the results and outcomes of the pilot program beginning
36 six months after program initiation. The department shall provide a final report by
37 June 30, 2019, to the chairpersons of the House Committee on Health and Human Services
38 and the Senate Health and Human Services Committee. The report shall include at a
39 minimum all of the following:

40 (1) The number of deliveries to emergency receiving facilities made by an emergency
41 medical technician or paramedic;

42 (2) The impact of such deliveries on the emergency receiving facilities including volume,
43 expense, personnel, and any other effects of such deliveries;

44 (3) The interactions between law enforcement, emergency personnel, and the emergency
45 receiving facilities as such interactions relate to challenges, obstacles, and outcomes;

46 (4) The impact on persons transported by the emergency medical technician or
47 paramedic;

48 (5) The impact on the public; and

49 (6) Recommendations on legislation that addresses whether an emergency medical
50 technician or paramedic is authorized to transport a person for involuntary evaluation and
51 treatment for mental illness or alcohol or drug abuse.

52 (f) Any emergency medical technician or paramedic, while participating in the pilot
53 program under this Code section, who acts in good faith in compliance with the admission
54 and discharge provisions of Chapter 7 of this title shall be immune from civil or criminal
55 liability for his or her actions in connection with the admission of a patient to a facility or
56 the discharge of a patient from a facility.

57 (g) This Code section shall stand repealed on July 1, 2019."

58 **SECTION 2.**

59 All laws and parts of laws in conflict with this Act are repealed.