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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2010

A N A C T

RELATING TO HUMAN SERVICES - MENTAL HEALTH, RETARDATION AND
HOSPITALS - INCOMPETENCY TO STAND TRIAL

Introduced By: Senators Perry, Pichardo, C Levesque, Metts, and Sosnowski

Date Introduced: February 11, 2010

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 40.1-5.3-9 of the General Laws in Chapter 40.1-5.3 entitled
2 "Incompetency to Stand Trial and Persons Adjudged Not Guilty by Reason of Insanity" is hereby
3 amended to read as follows:

4 **40.1-5.3-9. Return to confinement.** -- When any person transferred pursuant to section
5 40.1-5.3-7 has sufficiently recovered his or her mental health, he or she may, upon petition of the
6 director and by order of a justice of the superior court in his or her discretion, be transferred to the
7 place of his or her original confinement, to serve out the remainder of his or her term of sentence;
8 provided, however, that as a condition of said transfer, all medications prescribed prior to transfer
9 shall be continued exactly as prescribed by the attending physician, including brand name
10 medications.

11 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO HUMAN SERVICES - MENTAL HEALTH, RETARDATION AND
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1 This act would require that all medications prescribed while an inmate is a patient in the
2 forensic unit be continued exactly as written when the inmate is transferred back to the general
3 population.

4 This act would take effect upon passage.

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