

HOUSE BILL 7036

By Sexton

AN ACT to amend Tennessee Code Annotated, Title 16;  
Title 33; Title 41 and Title 68, relative to mental  
health services.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 33-6-401, is amended by deleting the section and substituting:

IF AND ONLY IF

- (1) A person has a mental illness or serious emotional disturbance, AND
- (2) The person poses an imminent substantial likelihood of serious harm under § 33-6-501 because of the mental illness or serious emotional disturbance,

THEN

- (3) The person may be detained under § 33-6-402 to obtain examination for certification of need for care and treatment.

SECTION 2. Tennessee Code Annotated, Section 33-6-403, is amended by deleting the section and substituting:

IF AND ONLY IF

- (1) A person has a mental illness or serious emotional disturbance, AND
- (2) The person poses an imminent substantial likelihood of serious harm under § 33-6-501 because of the mental illness or serious emotional disturbance, AND
- (3) The person needs care, training, or treatment because of the mental illness or serious emotional disturbance, AND
- (4) All available less drastic alternatives to placement in a hospital or treatment resource are unsuitable to meet the needs of the person,

THEN

(5) The person may be admitted and detained by a hospital or treatment resource for emergency diagnosis, evaluation, and treatment under this part.

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.