

WELFARE AND INSTITUTIONS CODE - WIC**DIVISION 5. COMMUNITY MENTAL HEALTH SERVICES [5000 - 5987]***(Division 5 repealed and added by Stats. 1967, Ch. 1667.)***PART 1. THE LANTERMAN-PETRIS-SHORT ACT [5000 - 5556]***(Heading of Part 1 amended by Stats. 1968, Ch. 1374.)***CHAPTER 2. Involuntary Treatment [5150 - 5349.1]***(Chapter 2 added by Stats. 1967, Ch. 1667.)***ARTICLE 4. Certification for Intensive Treatment [5250 - 5259.3]***(Article 4 repealed and added by Stats. 1982, Ch. 1598, Sec. 4.)***5250.**

If a person is detained for 72 hours under the provisions of Article 1 (commencing with Section 5150), or under court order for evaluation pursuant to Article 2 (commencing with Section 5200) or Article 3 (commencing with Section 5225) and has received an evaluation, he or she may be certified for not more than 14 days of intensive treatment related to the mental health disorder or impairment by chronic alcoholism, under the following conditions:

(a) The professional staff of the agency or facility providing evaluation services has analyzed the person's condition and has found the person is, as a result of a mental health disorder or impairment by chronic alcoholism, a danger to others, or to himself or herself, or gravely disabled.

(b) The facility providing intensive treatment is designated by the county to provide intensive treatment, and agrees to admit the person. No facility shall be designated to provide intensive treatment unless it complies with the certification review hearing required by this article. The procedures shall be described in the county Short-Doyle plan as required by Section 5651.3.

(c) The person has been advised of the need for, but has not been willing or able to accept, treatment on a voluntary basis.

(d) (1) Notwithstanding paragraph (1) of subdivision (h) of Section 5008, a person is not "gravely disabled" if that person can survive safely without involuntary detention with the help of responsible family, friends, or others who are both willing and able to help provide for the person's basic personal needs for food, clothing, or shelter.

(2) However, unless they specifically indicate in writing their willingness and ability to help, family, friends, or others shall not be considered willing or able to provide this help.

(3) The purpose of this subdivision is to avoid the necessity for, and the harmful effects of, requiring family, friends, and others to publicly state, and requiring the certification review officer to publicly find, that no one is willing or able to assist a person with a mental health disorder in providing for the person's basic needs for food, clothing, or shelter.

(Amended by Stats. 2014, Ch. 144, Sec. 89. (AB 1847) Effective January 1, 2015.)