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WELFARE AND INSTITUTIONS CODE - WIC

DIVISION 7. MENTAL INSTITUTIONS [7100 - 7700] (*Division 7 repealed and added by Stats. 1967, Ch. 1667.*)

CHAPTER 2. State Hospitals for the Mentally Disordered [7200 - 7375] (*Heading of Chapter 2 renumbered from Chapter 3 by Stats. 1979, Ch. 373.*)

ARTICLE 3. Patients' Care [7250 - 7254] (*Article 3 added by Stats. 1967, Ch. 1667.*)

7250. Any person who has been committed is entitled to a writ of habeas corpus, upon a proper application made by the State Department of State Hospitals or the State Department of Developmental Services, by that person, or by a relative or friend in his or her behalf to the judge of the superior court of the county in which the hospital is located, or if the person has been found incompetent to stand trial and has been committed pursuant to Chapter 6 (commencing with Section 1367) of Title 10 of Part 2 of the Penal Code, judicial review shall be in the superior court for the county that determined the question of the mental competence of the person. All documents requested by the court in the county of confinement shall be forwarded from the county of commitment to the court. Upon the return of the writ, the truth of the allegations under which he or she was committed shall be inquired into and determined. The medical history of the person as it appears in the clinical records shall be given in evidence, and the superintendent in charge of the state hospital wherein the person is held in custody and any other person who has knowledge of the facts shall be sworn and shall testify relative to the mental condition of the person.

(Amended by Stats. 2012, Ch. 24, Sec. 161. (AB 1470) Effective June 27, 2012.)

7251. Every executive director of a state hospital, shall, within three days after the reception of a patient, make or cause to be made a thorough physical and mental examination of the patient, and state the result thereof, on blanks prepared and exclusively set apart for that purpose. During the time the patient remains under his or her care he or she shall also make, or cause to be made, from time to time, examination of the mental state, bodily condition, and medical treatment of the patient at such intervals and in such manner, and state its result, upon blank forms, as are approved by the department. In the event of the death or discharge of a patient, the superintendent, or person in charge of the state hospital, shall state the circumstances thereof upon forms as are required by the department.

(Amended by Stats. 2012, Ch. 24, Sec. 162. (AB 1470) Effective June 27, 2012.)

7252. Any patient in a state hospital, upon the consent of the executive director and medical director of the hospital, may voluntarily donate blood to any nonprofit blood bank duly licensed by the State Department of Public Health.

(Amended by Stats. 2012, Ch. 24, Sec. 163. (AB 1470) Effective June 27, 2012.)

7253. Every patient in a state hospital under this chapter may be permitted to keep for his or her own use articles of handiwork and other finished products suitable primarily for personal use, as determined by the executive director, which have been fabricated by the patient.

(Amended by Stats. 2012, Ch. 24, Sec. 164. (AB 1470) Effective June 27, 2012.)

7254. Notwithstanding any other provision of law, the State Department of State Hospitals shall have the authority to require that patients committed to a state mental health facility pursuant to Section 1026 of, and Chapter 6 (commencing with Section 1367) of Title 10 of Part 2 of the Penal Code, and Sections 6316 and 6321 of this code shall wear identifiable clothing in a secured area of the facility.

(Amended by Stats. 2012, Ch. 24, Sec. 165. (AB 1470) Effective June 27, 2012.)