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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 MENTAL INSTITUTIONS [7100 - 7700] (*Division 7 repealed and added by Stats. 1967, Ch. 1667.*)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 2. Admission [7225 - 7234] (*Article 2 added by Stats. 1967, Ch. 1667.*)

7225. Except as otherwise provided, all patients admitted to a state hospital shall be duly committed or transferred thereto, and shall be subject to the general rules and regulations of the department and of the hospital.

(*Added by Stats. 1967, Ch. 1667.*)

7226. The State Department of State Hospitals may admit to any state hospital, if there is room therein, any soldier or sailor in the service of the United States who has a mental health disorder on terms agreed upon between the department and the properly authorized agents, officers, or representatives of the United States government.

(*Amended by Stats. 2014, Ch. 144, Sec. 116. (AB 1847) Effective January 1, 2015.*)

7227. Prisoners who have mental health disorders and who are in the state prisons shall be admitted to the state hospitals in accordance with the provisions of the Penal Code.

(*Amended by Stats. 2014, Ch. 144, Sec. 117. (AB 1847) Effective January 1, 2015.*)

7228. Prior to admission, the State Department of State Hospitals shall evaluate each patient committed pursuant to Section 1026 or 1370 of the Penal Code to determine the placement of the patient to the appropriate State Department of State Hospitals facility, as defined in Section 4100. The State Department of State Hospitals shall utilize the documents provided pursuant to subdivision (e) of Section 1026 of the Penal Code and paragraph (2) of subdivision (b) of Section 1370 of the Penal Code to make the appropriate placement. A patient determined to be a high security risk shall be treated in the department's most secure facilities pursuant to Section 7230. A Penal Code patient not needing this level of security shall be treated as near to the patient's community as possible if an appropriate treatment program is available.

(*Amended by Stats. 2017, Ch. 17, Sec. 63. (AB 103) Effective June 27, 2017.*)

7230. Those patients determined to be high security risk patients, as described in Section 7228, shall be treated at Atascadero State Hospital or Patton State Hospital, a correctional facility, or other secure facility as defined by the State Department of State Hospitals, but shall not be treated at Metropolitan State Hospital or Napa State Hospital. Metropolitan State Hospital and Napa State Hospital shall treat only low- to moderate-risk patients, as defined by the State Department of State Hospitals.

(*Amended by Stats. 2012, Ch. 24, Sec. 158. (AB 1470) Effective June 27, 2012.*)

7231. (a) The State Department of Mental Health shall develop policies and procedures, by no later than 30 days following the effective date of the Budget Act of 1997, at each state hospital, to notify appropriate law enforcement agencies in the event of a patient escape or walkaway. Local law enforcement agencies, including local police and county sheriff departments, shall review the policies and procedures prior to final implementation by the department.

(b) Commencing July 1, 2012, the State Department of State Hospitals may adopt the policies and procedures developed by the State Department of Mental Health pursuant to subdivision (a).

(*Amended by Stats. 2012, Ch. 24, Sec. 159. (AB 1470) Effective June 27, 2012.*)

7232. (a) The State Department of Mental Health shall issue a state hospital administrative directive by no later than 30 days following the effective date of the Budget Act of 1997 to require patients whose placement has been required pursuant to the Penal

Code, and other patients within the secured perimeter at each state hospital, to wear clothing that enables these patients to be readily identified.

(b) Commencing July 1, 2012, the State Department of State Hospitals may adopt the state hospital administrative directive issued by the State Department of Mental Health pursuant to subdivision (a).

(Amended by Stats. 2012, Ch. 24, Sec. 160. (AB 1470) Effective June 27, 2012.)

7234. (a) (1) A Patient Management Unit (PMU) shall be established within the State Department of State Hospitals to facilitate patient movement across all facilities under its jurisdiction, as defined in Section 4100, and any psychiatric programs operated by the State Department of State Hospitals pursuant to a memorandum of understanding with the Department of Corrections and Rehabilitation.

(2) The PMU's responsibilities shall include, but not be limited to, oversight and centralized management of patient admissions, and collection of data for reports and patient population projections.

(b) The State Department of State Hospitals shall adopt regulations, consistent with this article, concerning policies and procedures to be implemented by the PMU, including, but not limited to, both of the following:

(1) Policies and procedures for patient referral to the State Department of State Hospitals.

(2) Screening criteria that ensures that patients are placed in a State Department of State Hospitals facility or psychiatric program closest to their county of residence in the absence of a compelling reason to place the patient in another facility. Compelling reasons may include, but not be limited to, the patient's specialized psychiatric, medical, or safety needs, and the availability of beds for his or her commitment type.

(c) The Director of State Hospitals may adopt emergency regulations in accordance with the Administrative Procedures Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code) to implement this section. The adoption of an emergency regulation under this paragraph is deemed to address an emergency, for purposes of Sections 11346.1 and 11349.6 of the Government Code, and the Director of State Hospitals is hereby exempted for this purpose from the requirements of subdivision (b) of Section 11346.1 of the Government Code.

(Amended by Stats. 2017, Ch. 17, Sec. 64. (AB 103) Effective June 27, 2017.)