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**AB-416 Involuntary commitment.** (2025-2026)

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**Assembly Bill No. 416**

**CHAPTER 691**

An act to amend Sections 5113 and 5121 of the Welfare and Institutions Code, relating to behavioral health.

[ Approved by Governor October 13, 2025. Filed with Secretary of State October 13, 2025. ]

**LEGISLATIVE COUNSEL'S DIGEST**

AB 416, Krell. Involuntary commitment.

Existing law, the Lanterman-Petris-Short Act, authorizes the involuntary commitment and treatment of persons with specified mental disorders. Under the act, when a person, as a result of a mental health disorder, is a danger to self or others, or gravely disabled, the person may, upon probable cause, be taken into custody by specified individuals, including, among others, by a peace officer, a designated member of a mobile crisis team, or a professional person designated by the county, and placed in a facility designated by the county and approved by the State Department of Health Care Services for up to 72 hours for evaluation and treatment. Existing law authorizes county behavioral health director to develop procedures for the county's designation and training of professionals who will be designated to perform the above-described provisions. Existing law authorizes the procedures to include, among others, the license types, practice disciplines, and clinical experience of the professionals eligible to be designated by the county. Existing law exempts specified individuals, including a peace officer responsible for the detainment of a person under these provisions from criminal and civil liability for an action by a person who is released at or before the end of the period for which they were detained.

This bill would require a county behavioral health director to include an emergency physician, as defined, as one of the practice disciplines eligible to be designated by the county when developing and implementing procedures for the designation and training of those professionals. The bill would also exempt an emergency physician who is responsible for the detainment of a person under those provisions from criminal and civil liability, as specified.

Vote: majority Appropriation: no Fiscal Committee: no Local Program: no

**THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:**

**SECTION 1.** Section 5113 of the Welfare and Institutions Code is amended to read:

**5113.** Except as provided in Sections 5154, 5173, 5259.3, 5267, and 5306, the facility providing treatment pursuant to Article 1 (commencing with Section 5150), Article 1.5 (commencing with Section 5170), Article 4 (commencing with Section 5250), Article 4.5 (commencing with Section 5260), or Article 6 (commencing with Section 5300) of Chapter 2, the superintendent of the facility, the professional person in charge of the facility and their designee, the professional person designated pursuant to Section 5121 and responsible for the detainment of the person, or the peace officer responsible for the detainment of the person shall not be

civilly or criminally liable for any action by a person released at or before the end of the period for which the person was admitted pursuant to the provisions of the appropriate article.

**SEC. 2.** Section 5121 of the Welfare and Institutions Code is amended to read:

**5121.** (a) The county behavioral health director may develop procedures for the county's designation and training of professionals who will be designated to perform functions under Section 5150. These procedures may include, but are not limited to, the following:

- (1) The license types, practice disciplines, and clinical experience of professionals eligible to be designated by the county.
- (2) The initial and ongoing training and testing requirements for professionals eligible to be designated by the county.
- (3) The application and approval processes for professionals seeking to be designated by the county, including the timeframe for initial designation and procedures for renewal of the designation.
- (4) The county's process for monitoring and reviewing professionals designated by the county to ensure appropriate compliance with state law, regulations, and county procedures.

(b) A county behavioral health director may develop a training for the procedures for designation developed pursuant to subdivision (a).

(c) If a county behavioral health director denies or revokes an individual's designation, the county behavioral health director shall, in writing, notify the person who made the request for designation of the individual and the individual who is the subject of the request for designation describing the reasons for denial or revocation.

(d) Designated members of a mobile crisis team and designated professional persons shall not be prohibited from transporting a person taken into custody pursuant to Section 5150.

(e) If the county behavioral health director of the County of Sacramento develops procedures pursuant to subdivision (a), the county behavioral health director of the County of Sacramento shall, by April 1, 2022, issue a written policy regarding the procedures developed pursuant to subdivision (a). The policy shall address, at a minimum, the topics identified in paragraphs (1) to (4), inclusive, of subdivision (a). The policy shall require the county behavioral health director of the County of Sacramento to designate individuals employed by the City of Sacramento who are also members of a mobile crisis team or who are also professional persons if all of the following are true:

- (1) The City of Sacramento submits a written request to the county behavioral health director.
- (2) The individuals meet the requirements for designation included in the policy.
- (3) If the county behavioral health director of the County of Sacramento has developed a training pursuant to subdivision (b), the individuals have completed that training.

(f) (1) A county behavioral health director shall include an emergency physician as one of the practice disciplines eligible to be designated by the county when developing and implementing procedures pursuant to paragraph (1) of subdivision (a).

(2) This subdivision does not affect the training, application, approval, and revocation process that applies to all professionals who are eligible to be designated by the county, including an emergency physician, in order to be designated by the county to perform functions under Section 5150.

(3) For purposes of this section, "emergency physician" means a physician and surgeon who provides medical screening and treatment of patients in the emergency department of a general acute care hospital licensed under Chapter 2 (commencing with Section 1250) of Division 2 of the Health and Safety Code.