

West's Tennessee Code Annotated

Title 33. Mental Health and Substance Abuse and Intellectual and Developmental Disabilities

Chapter 6. Mental Health Service

Part 5. Nonemergency Involuntary Admission to Inpatient Treatment

T. C. A. T. 33, Ch. 6, Pt. 5, Refs & Annos

Currentness

T. C. A. T. 33, Ch. 6, Pt. 5, Refs & Annos, TN ST T. 33, Ch. 6, Pt. 5, Refs & Annos

Current with laws from the 2023 Regular Sess. of the 113th Tennessee General Assembly. Pursuant to §§ 1-1-110, 1-1-111, and 1-2-114, the Tennessee Code Commission certifies the final, official version of the Tennessee Code and, until then, may make editorial changes to the statutes. References to the updates made by the most recent legislative session should be to the Public Chapter and not to the T.C.A. until final revisions have been made to the text, numbering, and hierarchical headings on Westlaw to conform to the official text. Unless legislatively provided, section name lines are prepared by the publisher.

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Chapter 6. Mental Health Service (Refs & Annos)

Part 5. Nonemergency Involuntary Admission to Inpatient Treatment (Refs & Annos)

T. C. A. § 33-6-501

§ 33-6-501. Determination of substantial likelihood of serious harm

Effective: October 1, 2007

Currentness

IF AND ONLY IF

(1)(A) a person has threatened or attempted suicide or to inflict serious bodily harm on the person, OR

(B) the person has threatened or attempted homicide or other violent behavior, OR

(C) the person has placed others in reasonable fear of violent behavior and serious physical harm to them, OR

(D) the person is unable to avoid severe impairment or injury from specific risks, AND

(2) there is a substantial likelihood that the harm will occur unless the person is placed under involuntary treatment,

THEN

(3) the person poses a “substantial likelihood of serious harm” for purposes of this title.

Credits

2000 Pub.Acts, c. 947, § 1, eff. March 1, 2001.

T. C. A. § 33-6-501, TN ST § 33-6-501

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T. C. A. § 33-6-502

§ 33-6-502. Judicial commitment

Effective: July 10, 2015

Currentness

IF AND ONLY IF

- (1) a person has a mental illness or serious emotional disturbance, AND
- (2) the person poses a substantial likelihood of serious harm 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 judicially committed to involuntary care and treatment in a hospital or treatment resource in proceedings conducted in conformity with chapter 3, part 6 of this title.

Credits

2000 Pub.Acts, c. 947, § 1, eff. March 1, 2001.

T. C. A. § 33-6-502, TN ST § 33-6-502

Current with laws from the 2023 Regular Sess. of the 113th Tennessee General Assembly. Pursuant to §§ 1-1-110, 1-1-111, and 1-2-114, the Tennessee Code Commission certifies the final, official version of the Tennessee Code and, until then, may make editorial changes to the statutes. References to the updates made by the most recent legislative session should be to the Public Chapter and not to the T.C.A. until final revisions have been made to the text, numbering, and hierarchical headings on Westlaw to conform to the official text. Unless legislatively provided, section name lines are prepared by the publisher.

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T. C. A. § 33-6-503

§ 33-6-503. Showing for judicial commitment

Effective: October 1, 2007

Currentness

No defendant may be judicially committed under this part, unless two (2) licensed physicians, or one (1) licensed physician and one (1) licensed psychologist qualified as provided in § 33-6-427(a), file in the commitment proceeding certificates of need for care and treatment certifying that the defendant satisfies the requirements of § 33-6-502(1)-(4) and showing the factual foundation for the conclusions on each item. No defendant who is a child under sixteen (16) years of age may be judicially committed under this part unless one (1) of the certificates is by a physician or psychologist with experience with children.

Credits

2000 Pub.Acts, c. 947, § 1, eff. March 1, 2001; 2004 Pub.Acts, c. 565, § 8, eff. July 1, 2004.

T. C. A. § 33-6-503, TN ST § 33-6-503

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T. C. A. § 33-6-504

§ 33-6-504. Persons authorized to file complaint

Effective: October 1, 2007

Currentness

The parent, legal guardian, legal custodian, conservator, spouse, or a responsible relative of the person alleged to be in need of care and treatment, a licensed physician, a licensed psychologist who meets the requirements of § 33-6-427(a), a health or public welfare officer, an officer authorized to make arrests in the state, or the chief officer of a facility that the person is in, may file a complaint to require involuntary care and treatment of a person with mental illness or serious emotional disturbance under this part.

Credits

2000 Pub.Acts, c. 947, § 1, eff. March 1, 2001; 2004 Pub.Acts, c. 565, § 8, eff. July 1, 2004.

T. C. A. § 33-6-504, TN ST § 33-6-504

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T. C. A. § 33-6-505

§ 33-6-505. Commitment; state facility

Effective: June 25, 2009

Currentness

If the court commits a person under this section, the person comes into the commissioner's custody only if the state-owned or operated facility or treatment resource has available suitable accommodations; provided, that, if there are no suitable available accommodations at the time of the determination, then the commissioner shall expeditiously find a state-owned or operated hospital or treatment resource to accommodate the person upon the availability of suitable available accommodations. Prior to transporting a person for such commitment, the sheriff or other transportation agent shall determine that the receiving state-owned or operated facility or treatment resource has available suitable accommodations.

Credits

2000 Pub.Acts, c. 947, § 1, eff. March 1, 2001; 2009 Pub.Acts, c. 531, § 42, eff. June 25, 2009.

T. C. A. § 33-6-505, TN ST § 33-6-505

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T. C. A. § 33-6-506

§ 33-6-506. Commitment; public hospital or treatment resource

Currentness

If a licensed public hospital or treatment resource other than a state facility has available suitable accommodations, the court may commit the defendant to the public hospital or treatment resource.

Credits

2000 Pub.Acts, c. 947, 1, eff. March 1, 2001.

T. C. A. § 33-6-506, TN ST § 33-6-506

Current with laws from the 2023 Regular Sess. of the 113th Tennessee General Assembly. Pursuant to §§ 1-1-110, 1-1-111, and 1-2-114, the Tennessee Code Commission certifies the final, official version of the Tennessee Code and, until then, may make editorial changes to the statutes. References to the updates made by the most recent legislative session should be to the Public Chapter and not to the T.C.A. until final revisions have been made to the text, numbering, and hierarchical headings on Westlaw to conform to the official text. Unless legislatively provided, section name lines are prepared by the publisher.

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T. C. A. § 33-6-507

§ 33-6-507. Commitment; contracted private or public hospital or treatment resource

Effective: October 1, 2007

Currentness

If a licensed private or local public hospital or treatment resource has contracted with the department to serve defendants in the region and has available suitable accommodations, the court shall commit the defendant to the facility, and the facility shall admit and detain the defendant in conformity with its obligations under its contract with the department.

Credits

2000 Pub.Acts, c. 947, 1, eff. March 1, 2001.

T. C. A. § 33-6-507, TN ST § 33-6-507

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T. C. A. § 33-6-508

§ 33-6-508. Commitment; private hospital or treatment resource

Effective: October 1, 2007

Currentness

IF

(1)(A) a parent, legal guardian, legal custodian, conservator, spouse, or an adult relative of the defendant, or any other person has made arrangements to pay the cost of care and treatment in a licensed private hospital or treatment resources, OR

(B) the facility chooses to accept the defendant when no third person has made arrangements to pay the cost, AND

(2) placement in the facility is more appropriate to the needs of the defendant than placement in a state facility,

THEN

(3) the court may commit the defendant to the facility.

Credits

2000 Pub.Acts, c. 947, § 1, eff. March 1, 2001.

T. C. A. § 33-6-508, TN ST § 33-6-508

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T. C. A. § 33-6-509

§ 33-6-509. Accommodations

Currentness

The chief officer of a facility to which a person is committed under this part shall not admit the person until the facility has available suitable accommodations. If a person is committed to a state facility under this part, the person does not come into the custody of the commissioner until the facility has available suitable accommodations.

Credits

2000 Pub.Acts, c. 947, 1, eff. March 1, 2001.

T. C. A. § 33-6-509, TN ST § 33-6-509

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T. C. A. § 33-6-510

§ 33-6-510. Custody of veterans' administration

Effective: October 1, 2007

Currentness

If a person ordered to be hospitalized under this part is eligible for hospital care or treatment by the veterans' administration of the United States within this state, the court, upon receipt of a certificate from the veterans' administration showing that facilities are available and that the person is eligible for care or treatment there, may order the person to be placed in the custody of the agency for hospitalization within this state. With respect to those persons the appropriate provisions of § 34-5-118, being a part of the Uniform Veterans' Guardianship Law, shall apply.

Credits

1965 Pub.Acts, c.38, § 43; 2000 Pub.Acts, c. 947, § 1, eff. March 1, 2001.

Formerly § 33-606; § 33-6-105.

T. C. A. § 33-6-510, TN ST § 33-6-510

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