

ASSEMBLY, No. 5020

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED NOVEMBER 19, 2020

Sponsored by:

Assemblywoman SHAVONDA E. SUMTER

District 35 (Bergen and Passaic)

SYNOPSIS

Permits advanced practice nurse to testify in lieu of psychiatrist at court hearing for involuntary commitment.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning involuntary commitment and amending
2 P.L.1987, c.116.

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4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

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7 1. Section 13 of P.L.1987, c.116 (C.30:4-27.13) is amended to
8 read as follows:

9 13. a. At least 10 days prior to a court hearing, the county
10 adjuster of the admitting county or the Attorney General or county
11 prosecutor if presenting the case for the patient's involuntary
12 commitment to treatment, shall cause notice of the court hearing to
13 be served upon the patient, the patient's guardian if any, the
14 patient's next-of-kin, the patient's attorney, the director, chief
15 executive officer, or other individual who has custody of the
16 patient, the county adjuster of the county in which the patient has
17 legal settlement and any other individual specified by the court.
18 The notice shall contain the date, time and location of the court
19 hearing. The patient and the patient's attorney shall also receive
20 copies of the clinical certificates and supporting documents, the
21 temporary court order and a statement of the patient's rights at the
22 court hearing.

23 b. **[A]** An advanced practice nurse or a psychiatrist on the
24 patient's treatment team who has conducted a personal examination
25 of the patient as close to the court hearing date as possible, but in no
26 event more than five calendar days prior to the court hearing, shall
27 testify at the hearing to the clinical basis for the need for
28 involuntary commitment to treatment. Other members of the
29 patient's treatment team and any other witness with relevant
30 information offered by the patient or the persons presenting the case
31 for civil commitment shall also be permitted to testify at the
32 hearing.

33 c. The patient's next-of-kin may attend and testify at the court
34 hearing if the court so determines.

35 d. The court shall transcribe the court hearing and arrange for
36 the payment of expenses related thereto in the same manner as for
37 other court proceedings.

38 (cf: P.L.2009, c.112, s.14)

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40 2. This act shall take effect immediately.

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STATEMENT

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45 This bill permits an advanced practice nurse to testify in lieu of a
46 psychiatrist at a court hearing for involuntary commitment.

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

A5020 SUMTER

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1 Under the bill, either an advanced practice nurse or a psychiatrist
2 on an individual's treatment team, who has conducted a personal
3 examination of the individual as close to the court hearing date as
4 possible, is to testify at the court hearing on the need to
5 involuntarily commit the individual to a facility for treatment.