

## **IC 12-23-9**

### Chapter 9. Voluntary Treatment by Division for Alcoholics

#### **IC 12-23-9-1**

##### **Application for treatment; minors**

Sec. 1. An alcoholic may apply for voluntary treatment directly to a certified treatment facility. If the proposed patient is a minor or an incapacitated individual, the proposed patient, a parent, a legal guardian, or other legal representative may make the application.

*As added by P.L.2-1992, SEC.17.*

#### **IC 12-23-9-2**

##### **Examination by physician**

Sec. 2. An individual who:

(1) comes voluntarily; or

(2) is a minor or an incapacitated individual who is brought to a certified public treatment facility;

shall be examined by a licensed physician as soon as possible.

*As added by P.L.2-1992, SEC.17.*

#### **IC 12-23-9-3**

##### **Admission; referral; transportation**

Sec. 3. (a) After a physical examination under section 2 of this chapter, an individual may be admitted as a patient or referred to another health facility.

(b) The referring certified treatment facility shall arrange for the individual's transportation.

*As added by P.L.2-1992, SEC.17.*

#### **IC 12-23-9-4**

##### **Incapacitation by alcohol; length of detention**

Sec. 4. (a) An individual who by medical examination is found to be incapacitated by alcohol at the time of admission or to have become incapacitated by alcohol at any time after admission may not be detained at a facility:

(1) after the individual is no longer incapacitated by alcohol; or

(2) if the individual remains incapacitated by alcohol for more than forty-eight (48) hours after admission as a patient, unless the individual is committed under IC 12-23-7 through IC 12-23-8.

(b) An individual may consent to remain in a facility as long as the physician in charge believes it is appropriate.

*As added by P.L.2-1992, SEC.17.*

#### **IC 12-23-9-5**

##### **Notification of family or next of kin**

Sec. 5. (a) If an individual is admitted to a certified public treatment facility, the individual's family or next of kin shall be notified as soon as possible.

(b) An adult patient who is not incapacitated may request that

there be no notification. The request shall be respected.  
*As added by P.L.2-1992, SEC.17.*

#### **IC 12-23-9-6**

##### **Determination by administrator of persons to be admitted; referral to another facility; rules**

Sec. 6. (a) The administrator in charge of a certified treatment facility may determine who shall be admitted for treatment.

(b) If an individual is refused admission, the administrator shall refer the individual to another approved public treatment facility for treatment if possible and appropriate.

(c) The administrator's determinations under this section are subject to rules adopted under IC 12-23-1-6(6).

*As added by P.L.2-1992, SEC.17. Amended by P.L.40-1994, SEC.43.*

#### **IC 12-23-9-7**

##### **Patients leaving facility; outpatient and intermediate treatment; assistance**

Sec. 7. If a patient receiving inpatient care leaves a certified treatment facility, the patient shall be encouraged to consent to appropriate outpatient or intermediate treatment. If the administrator in charge of the treatment facility believes that the patient is an alcoholic who requires help, the bureau may assist the patient in obtaining supportive services and residential facilities (as defined in IC 12-7-2-165).

*As added by P.L.2-1992, SEC.17. Amended by P.L.6-1995, SEC.14.*

#### **IC 12-23-9-8**

##### **Police officer taking custody of intoxicated individual; immunity from liability**

Sec. 8. A police officer who takes custody of an intoxicated individual in good faith for the purpose of delivering the individual to:

- (1) a certified treatment facility; or
- (2) the alcoholic rehabilitation program provided for in IC 12-23-14;

is immune from civil or criminal liability arising out of a claim for or charge of false arrest or false imprisonment.

*As added by P.L.2-1992, SEC.17.*