

REFERENCE TITLE: mental health; oversight; data; documentation.

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Senate
Fifty-sixth Legislature
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SB 1311

Introduced by
Senators Miranda: Alston, Hatathlie, Hernandez, Shope; Representatives
Crews, Hernandez C

AN ACT

AMENDING SECTIONS 36-502, 36-520, 36-521, 36-523, 36-524, 36-527 AND
36-531, ARIZONA REVISED STATUTES; RELATING TO MENTAL HEALTH SERVICES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 36-502, Arizona Revised Statutes, is amended to
3 read:

4 36-502. Powers and duties of the director of AHCCCS; rules;
5 expenditure limitation; reporting requirements

6 A. THE ADMINISTRATION IS RESPONSIBLE FOR MONITORING, OVERSEEING AND
7 EVALUATING THE AGENCIES PROVIDING SERVICES UNDER THIS CHAPTER TO ENSURE
8 THAT THE SERVICES ARE PROVIDED IN A TIMELY, EFFECTIVE AND EFFICIENT MANNER
9 AND ARE IN COMPLIANCE WITH ALL COUNTY, STATE AND FEDERAL LAWS AND RULES,
10 WHETHER THE SERVICES ARE PROVIDED DIRECTLY BY A COUNTY OR BY A SERVICE
11 PROVIDER PURSUANT TO A CONTRACT WITH THE COUNTY OR A REGIONAL BEHAVIORAL
12 HEALTH AUTHORITY. THE ADMINISTRATION'S AUTHORITY SHALL BE CLEARLY
13 DELINEATED IN ALL CONTRACTS ENTERED INTO PURSUANT TO ARTICLES 6 AND 10 OF
14 THIS CHAPTER. THE ADMINISTRATION SHALL AUDIT THE PERFORMANCE OF AN AGENCY
15 PROVIDING SERVICES PURSUANT TO THIS CHAPTER. THE ADMINISTRATION SHALL
16 IMPOSE PENALTIES, INCLUDING CIVIL PENALTIES, SUSPENSION AND TERMINATION OF
17 CONTRACTS, FOR AGENCIES THAT THE ADMINISTRATION FINDS TO NOT BE IN
18 COMPLIANCE WITH COUNTY, STATE AND FEDERAL LAWS AND RULES OR TO NOT BE
19 PERFORMING THE SERVICES IN A TIMELY, EFFECTIVE AND EFFICIENT MANNER.

20 ~~A.~~ B. The director shall ~~make~~ ADOPT rules that include standards
21 for agencies other than the state hospital when providing services and
22 shall prescribe forms as may be necessary for the proper administration
23 and enforcement of this chapter. The rules shall be applicable to
24 patients admitted to or treated in agencies, other than the state
25 hospital, as set forth in this chapter and shall provide for periodic
26 inspections of such agencies.

27 C. THE DIRECTOR SHALL ADOPT RULES AND PRESCRIBE FORMS FOR
28 COLLECTING, REPORTING AND ANALYZING INFORMATION AND DATA FOR THE PURPOSE
29 OF TRACKING AND ANALYZING THE EFFECTIVE AND EFFICIENT USE OF SERVICES
30 PROVIDED BY THE VARIOUS AGENCIES PURSUANT TO THIS CHAPTER. IN
31 ESTABLISHING THE APPROPRIATE INFORMATION AND DATA TO BE COLLECTED AND THE
32 FORMS TO BE USED FOR THIS PURPOSE, THE DIRECTOR SHALL SEEK THE ADVICE OF A
33 REPRESENTATIVE GROUP OF STAKEHOLDERS, INCLUDING SCREENING, EVALUATION AND
34 TREATMENT AGENCIES, REGIONAL BEHAVIORAL HEALTH AGENCIES, HOSPITALS AND
35 PHYSICIANS PROVIDING BEHAVIORAL HEALTH SERVICES, FAMILY MEMBERS AND
36 PERSONS WITH LIVED EXPERIENCES IN THE SCREENING, EVALUATION AND TREATMENT
37 SERVICES PROVIDED PURSUANT TO THIS CHAPTER. THE FORMS USED SHALL BE
38 REVIEWED AND, IF NECESSARY, REVISED ON A REGULAR BASIS BUT AT LEAST ONCE A
39 YEAR. THE INFORMATION AND DATA COLLECTED SHALL BE ANALYZED MONTHLY BY THE
40 ADMINISTRATION AND REPORTED TO THE GOVERNOR, THE PRESIDENT OF THE SENATE,
41 AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AT LEAST ONCE EACH YEAR.

42 ~~B.~~ D. The director shall ~~make~~ ADOPT rules concerning the admission
43 of patients and the transfer of patients between mental health treatment
44 agencies other than the state hospital. A patient undergoing
45 court-ordered treatment may be transferred from one mental health

1 treatment agency to another in accordance with the rules of the director,
2 subject to the approval of the court.

3 ~~C.~~ E. The director may ~~make~~ ADOPT rules concerning leaves, visits
4 and absences of patients from evaluation agencies and mental health
5 treatment agencies other than the state hospital.

6 ~~D.~~ F. The total amount of state monies that may be spent in any
7 fiscal year by the administration for mental health services pursuant to
8 this chapter may not exceed the amount appropriated or authorized by
9 section 35-173 for that purpose. This chapter does not impose a duty on
10 an officer, agent or employee of this state to discharge a responsibility
11 or create any right in a person or group if the discharge or right would
12 require an expenditure of state monies in excess of the expenditure
13 authorized by legislative appropriation for that specific purpose.

14 G. THE REQUIREMENTS OF SUBSECTION C OF THIS SECTION SHALL BE
15 COMPLETED ON AN EXPEDITED TIMELINE ESTABLISHED BY THE ADMINISTRATION BUT
16 NOT LATER THAN DECEMBER 31, 2025. ON OR BEFORE DECEMBER 31, 2024, THE
17 ADMINISTRATION SHALL FILE AN INTERIM REPORT WITH THE GOVERNOR, THE
18 PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES
19 THAT DESCRIBES THE PROGRESS OF THE ADMINISTRATION IN COMPLETING THE
20 REQUIREMENTS OF THIS SECTION. ON OR BEFORE DECEMBER 31, 2025, THE
21 ADMINISTRATION SHALL FILE A FINAL REPORT WITH THE GOVERNOR, THE PRESIDENT
22 OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES CONFIRMING
23 THE COMPLETION OF THE REQUIREMENTS OF THIS SECTION.

24 Sec. 2. Section 36-520, Arizona Revised Statutes, is amended to
25 read:

26 36-520. Application for evaluation; definition

27 A. Any responsible individual may apply for a court-ordered
28 evaluation of a person who is alleged to be, as a result of a mental
29 disorder, a danger to self or to others or a person with a persistent or
30 acute disability or a grave disability and who is unwilling or unable to
31 undergo a voluntary evaluation. The application shall be made in the
32 prescribed form and manner as adopted by the director.

33 B. The application for evaluation shall include the following data:

34 1. The name, and address if known, of the proposed patient for whom
35 evaluation is applied.

36 2. The age, date of birth, sex, race, marital status, occupation,
37 social security number, present location, dates and places of previous
38 hospitalizations, names and addresses of the guardian, spouse, next of kin
39 and significant other persons and other data that the director may require
40 on the form to whatever extent that this data is known and is applicable
41 to the proposed patient.

42 3. The name, address and relationship of the person who is applying
43 for the evaluation.

44 4. A statement that the proposed patient is believed to be, as a
45 result of a mental disorder, a danger to self or to others or a patient

1 with a persistent or acute disability or a grave disability and the facts
2 on which this statement is based.

3 5. A statement that the applicant believes the proposed patient is
4 in need of supervision, care and treatment and the facts on which this
5 statement is based.

6 C. The application shall be signed and notarized.

7 D. The screening agency shall offer assistance to the applicant in
8 preparation of the application. On receipt of the application, the
9 screening agency shall act as prescribed in section 36-521 within
10 forty-eight hours ~~of~~ AFTER the filing of the application, excluding
11 weekends and holidays. If the application is not acted ~~upon~~ ON within
12 forty-eight hours, the reasons for not acting promptly shall be reviewed
13 by the director of the screening agency or the director's designee.

14 E. If the applicant for the court-ordered evaluation presents the
15 person to be evaluated at the screening agency, the agency shall conduct a
16 prepetition screening examination. Except in the case of an emergency
17 evaluation, the person to be evaluated shall not be detained or forced to
18 undergo prepetition screening against the person's will.

19 F. If the applicant for the court-ordered evaluation does not
20 present the person to be evaluated at the screening agency, the agency
21 shall conduct the prepetition screening at the home of the person to be
22 evaluated or any other place the person to be evaluated is found. If
23 prepetition screening is not possible, the screening agency shall proceed
24 as PRESCRIBED in section 36-521, subsection B.

25 G. If a person is being treated by prayer or spiritual means alone
26 in accordance with the tenets and practices of a recognized church or
27 religious denomination by a duly accredited practitioner of that church or
28 denomination, ~~such~~ THE person may not be ordered evaluated, detained or
29 involuntarily treated unless the court has determined that the person is,
30 as a result of mental disorder, a danger to others or to self.

31 H. Court-ordered evaluation or treatment pursuant to this chapter
32 does not operate to change the legal residence of a patient.

33 I. If the application is not acted on because it has been
34 determined that the proposed patient does not need an evaluation, ~~the~~
35 ~~agency after a period of six months shall destroy the application and any~~
36 ~~other evidence of the application~~ THE MEDICAL DIRECTOR OF THE SCREENING
37 AGENCY OR THE MEDICAL DIRECTOR'S DESIGNEE SHALL MAKE A WRITTEN STATEMENT
38 OF THE REASONS WHY THE PROPOSED PATIENT DOES NOT NEED AN EVALUATION AND
39 SHALL RETAIN THE APPLICATION TOGETHER WITH THE MEDICAL DIRECTOR'S
40 STATEMENT AND ANY RECORDS OR REPORTS CONCERNING PREPETITION SCREENING
41 REQUIRED PURSUANT SECTION 36-521.

42 J. For the purposes of this section, "person" includes a person
43 who:

- 44 1. Is under eighteen years of age.

1 2. Has been transferred to the criminal division of the superior
2 court pursuant to section 8-327 or who has been charged with an offense
3 pursuant to section 13-501.

4 3. Is under the supervision of an adult probation department.

5 Sec. 3. Section 36-521, Arizona Revised Statutes, is amended to
6 read:

7 36-521. Preparation of petition for court-ordered evaluation;
8 procedures for prepetition screening

9 A. On receiving the application for evaluation, the screening
10 agency, before filing a petition for court-ordered evaluation, shall
11 provide prepetition screening within forty-eight hours excluding weekends
12 and holidays when possible to determine whether there is reasonable cause
13 to believe ~~the allegations of the applicant for the court-ordered~~
14 ~~evaluation, whether the person will voluntarily receive evaluation at a~~
15 ~~scheduled time and place and whether~~ the person has a persistent or acute
16 disability or a grave disability or is ~~likely to present~~ a danger to self
17 or others ~~until the voluntary evaluation~~ AS A RESULT OF A MENTAL DISORDER,
18 AND WHETHER THE PERSON WILL VOLUNTARILY RECEIVE EVALUATION AT A SCHEDULED
19 TIME AND PLACE.

20 B. After prepetition screening has been completed, the screening
21 agency shall prepare a report of opinions and conclusions. If prepetition
22 screening is not possible, the screening agency shall prepare a report
23 giving reasons why the screening was not possible and including opinions
24 and conclusions of staff members who attempted to conduct prepetition
25 screening or otherwise investigated the matter.

26 C. If the prepetition screening ~~report indicates~~ AGENCY DETERMINES
27 that ~~there exists no reasonable cause to believe the allegations of the~~
28 ~~applicant for the court-ordered evaluation, it shall~~ THE APPLICATION FOR
29 EVALUATION IS TO BE DENIED, THE DENIAL SHALL BE STATED IN WRITING ON THE
30 APPLICATION FORM AND SHALL be reviewed AND CONFIRMED by the medical
31 director of the screening agency or the medical director's designee. IF
32 THE SCREENING AGENCY DETERMINES THAT ALTHOUGH THE PERSON DOES NOT
33 CURRENTLY MEET THE CRITERIA FOR COURT-ORDERED EVALUATION, THERE ARE
34 REASONABLE GROUNDS TO BELIEVE THAT THE PERSON HAS A MENTAL DISORDER, IS IN
35 NEED OF FURTHER EVALUATION OR TREATMENT AND IS ABLE AND WILLING TO PURSUE
36 PRIVATE OR PUBLIC EVALUATION OR TREATMENT SERVICES AVAILABLE TO THE PERSON
37 IN THE COMMUNITY, THE SCREENING AGENCY SHALL ASSIST THE PROPOSED PATIENT
38 IN FINDING SPECIFIC EVALUATION OR TREATMENT SERVICES IN THE PROPOSED
39 PATIENT'S AREA AND, IF REQUESTED, MAKE A DIRECT REFERRAL TO A PERSON,
40 AGENCY OR ORGANIZATION PROVIDING BEHAVIORAL HEALTH SERVICES FOR THE
41 PURPOSE OF EVALUATION AND TREATMENT.

42 D. If, based on the allegations of the applicant for the
43 court-ordered evaluation and the prepetition screening report or other
44 information obtained while attempting to conduct a prepetition screening,
45 the agency determines that there is reasonable cause to believe that the

1 proposed patient is, as a result of mental disorder, a danger to self or
2 to others or has a persistent or acute disability or a grave disability
3 and that the proposed patient is unable or unwilling to voluntarily
4 receive evaluation or is likely to present a danger to self or to others,
5 has a grave disability or will further deteriorate before receiving a
6 voluntary evaluation, the agency shall prepare a petition for
7 court-ordered evaluation and shall file the petition, which shall be
8 signed by the person who prepared the petition unless the county attorney
9 performs these functions. If the agency determines that there is
10 reasonable cause to believe that the person is in such a condition that
11 without immediate hospitalization he is likely to harm himself or others,
12 the agency shall take all reasonable steps to procure such hospitalization
13 on an emergency basis.

14 E. The agency may contact the county attorney in order to obtain
15 assistance in preparing the petition for court-ordered evaluation, and the
16 agency may request the advice and judgment of the county attorney in
17 reaching a decision as to whether the court-ordered evaluation is
18 justified.

19 F. The county attorney may prepare or sign or file the petition if
20 a court has ordered the county attorney to prepare the petition.

21 G. If a petition for court-ordered evaluation alleges danger to
22 others as described in section 36-501, the screening agency, before filing
23 such a petition, shall contact the county attorney for a review of the
24 petition. The county attorney shall examine the petition and make one of
25 the following written recommendations:

- 26 1. That a criminal investigation is warranted.
- 27 2. That the screening agency shall file the petition.
- 28 3. That no further proceedings are warranted. The screening agency
29 shall consider the recommendation in determining whether a court-ordered
30 evaluation is justified and shall include the recommendation with the
31 petition if the agency decides to file the petition with the court.

32 H. The petition shall be made in the form and manner prescribed by
33 the director.

34 I. If a petition for court-ordered evaluation is filed by a
35 prosecutor pursuant to section 13-4517, a prior application for
36 court-ordered evaluation or prescreening is not necessary.

37 Sec. 4. Section 36-523, Arizona Revised Statutes, is amended to
38 read:

39 36-523. Petition for evaluation

40 A. The petition for evaluation shall contain the following:

- 41 1. The name, address and interest in the case of the individual who
42 applied for the petition.
- 43 2. The name, and address if known, of the proposed patient for whom
44 evaluation is petitioned.
- 45 3. The present whereabouts of the proposed patient, if known.

1 4. A statement alleging that there is reasonable cause to believe
2 that the proposed patient has a mental disorder and is as a result a
3 danger to self or others, has a persistent or acute disability or a grave
4 disability and is unwilling or unable to undergo voluntary evaluation.

5 5. A summary of the facts that support the allegations that the
6 proposed patient is dangerous, has a persistent or acute disability or a
7 grave disability and is unwilling or unable to be voluntarily evaluated,
8 including the facts that brought the proposed patient to the screening
9 agency's attention.

10 6. If the petition is filed by a prosecutor pursuant to section
11 13-4517, any known criminal history of the proposed patient, including
12 whether the proposed patient has ever been found incompetent to stand
13 trial pursuant to section 13-4510.

14 7. A statement of any facts and circumstances that lead the
15 petitioner to believe that the proposed patient may be safely transported
16 to the evaluation agency by an authorized transporter, if available in the
17 jurisdiction, without the assistance of a peace officer.

18 8. Other information that the director by rule or the court by rule
19 or order may require.

20 B. The petition shall request that the court issue an order
21 requiring that the proposed patient be given an evaluation and shall
22 advise the court of both of the following:

23 1. That the opinion of the petitioner is either that the proposed
24 patient is or is not in such a condition that without immediate or
25 continuing hospitalization the patient is likely to suffer serious
26 physical harm or further deterioration or inflict serious physical harm on
27 another person.

28 2. If the opinion of the petitioner is that the proposed patient is
29 not in the condition described in paragraph 1 of this subsection, that the
30 opinion of the petitioner is either that the evaluation should or should
31 not take place on an outpatient basis.

32 C. The petition for evaluation shall be accompanied by the
33 application for evaluation, by the recommendation of the county attorney
34 pursuant to section 36-521 and by a prepetition screening report, unless
35 the documents have not been prepared under a provision of law or in
36 accordance with an order of the court. The petition for evaluation shall
37 also be accompanied by a copy of the application for emergency admission
38 if one exists.

39 D. A petition and other forms required in a court may be filed only
40 by the screening agency that has prepared the petition.

41 E. If the petition is PREPARED BUT not filed because it has been
42 determined that the person ~~does not need~~ NO LONGER NEEDS an evaluation,
43 the MEDICAL DIRECTOR OF THE agency ~~after a period of six months shall~~
44 ~~destroy~~ SHALL MAKE A WRITTEN STATEMENT OF THE REASONS WHY THE EVALUATION
45 WAS DETERMINED TO BE NO LONGER NECESSARY AND SHALL RETAIN the petition

1 TOGETHER WITH THE MEDICAL DIRECTOR'S STATEMENT and the various reports
2 annexed to the petition as required by this section.

3 F. If the petition is not filed because it has been determined that
4 the person does not need an evaluation and a prosecutor filed a petition
5 pursuant to section 13-4517, the person shall be remanded for a
6 disposition pursuant to section 13-4517. If the person is out of custody,
7 the court may order that the person be taken into custody for a
8 disposition pursuant to this section.

9 Sec. 5. Section 36-524, Arizona Revised Statutes, is amended to
10 read:

11 36-524. Application for emergency admission for evaluation;
12 requirements; immunity

13 A. A written application for emergency admission shall be made to
14 an evaluation agency before a person may be hospitalized in the agency.

15 B. The application for emergency admission shall be made by a
16 person with knowledge of the facts requiring emergency admission. The
17 applicant may be a relative or friend of the person, a peace officer, the
18 admitting officer or another responsible person.

19 C. The application shall be made on a prescribed form and shall
20 include the following:

21 1. A statement by the applicant that the applicant believes that
22 the person, as a result of a mental disorder, is a danger to self or
23 others, ~~or~~ has a persistent or acute disability or a grave
24 disability, ~~and~~ and is unable or unwilling to undergo voluntary evaluation
25 and that during the time necessary to complete the prepetition screening
26 procedures set forth in sections 36-520 and 36-521 the person is likely
27 without immediate hospitalization to suffer serious physical harm or
28 serious illness or is likely to inflict serious physical harm on another
29 person.

30 2. The specific nature of the harm or illness the person is likely
31 to suffer or inflict without immediate hospitalization.

32 3. A summary of the facts that support the statements made by the
33 applicant, including the observations of persons who witnessed the events
34 described in the statements or the behaviors of the person who is the
35 subject of the application.

36 4. The signature of the applicant.

37 D. A telephonic application may be made not more than twenty-four
38 hours before a written application. A telephonic application shall be
39 made by or in the presence of a peace officer unless the application is
40 made by a health care professional who is licensed pursuant to title 32,
41 chapter 13, 15, 17 or 19.1 and who is directly involved with the care of a
42 patient who is in a health care institution licensed in this state. For
43 an application made by a peace officer or a health care professional who
44 is licensed pursuant to title 32, chapter 13, 15, 17 or 19.1, a copy of
45 the application that contains the applicant's original signature is

1 acceptable, does not have to be notarized and may be submitted as the
2 written application.

3 E. If the person to be admitted is not already present at the
4 evaluation agency and if the admitting officer, based on a review of the
5 written or telephonic application and conversation with the applicant and
6 peace officer, has reasonable cause to believe that an emergency
7 examination is necessary, the admitting officer may advise the peace
8 officer that sufficient grounds exist to take the person into custody and
9 to transport the person to the evaluation agency. The peace officer, on
10 the request of the admitting officer of the evaluation agency pursuant to
11 this subsection, shall apprehend and transport the person to the
12 evaluation agency. The admitting officer shall not be held civilly liable
13 for any acts committed by a person whom the admitting officer did not
14 advise to be taken into custody if the admitting officer has in good faith
15 followed the requirements of this section.

16 F. IF THE APPLICATION FOR EMERGENCY ADMISSION IS DENIED, THE
17 APPLICATION SHALL BE RETAINED BY THE EVALUATION AGENCY TOGETHER WITH A
18 WRITTEN STATEMENT BY THE MEDICAL DIRECTOR OF THE EVALUATION AGENCY OR THE
19 DIRECTOR'S DESIGNEE STATING THE SPECIFIC REASONS WHY THE APPLICATION WAS
20 DENIED.

21 Sec. 6. Section 36-527, Arizona Revised Statutes, is amended to
22 read:

23 36-527. Discharge and release; relief from civil liability

24 A. A person taken into custody for emergency admission may not be
25 detained longer than twenty-four hours excluding weekends and holidays
26 following such detention unless a petition for court-ordered evaluation is
27 filed.

28 B. A person admitted for emergency evaluation may be released at
29 any time if, in the opinion of the medical director in charge of the
30 evaluation agency, release is appropriate. The medical director shall not
31 be held civilly liable for any acts committed by a released patient if the
32 medical director has in good faith followed the requirements of this
33 article. The patient may continue care and treatment in the agency if he
34 signs a voluntary application.

35 C. IF A PERSON ADMITTED FOR EMERGENCY EVALUATION IS RELEASED, THE
36 APPLICATION FOR EMERGENCY ADMISSION SHALL BE RETAINED TOGETHER WITH A
37 WRITTEN STATEMENT BY THE MEDICAL DIRECTOR OF THE EVALUATION AGENCY STATING
38 WHY THE RELEASE WAS APPROPRIATE.

39 Sec. 7. Section 36-531, Arizona Revised Statutes, is amended to
40 read:

41 36-531. Evaluation; possible dispositions; release

42 A. A person who is being evaluated on an inpatient basis in an
43 evaluation agency shall be released if, in the opinion of the medical
44 director of the agency, further evaluation is not appropriate unless the
45 person applies for further care and treatment on a voluntary basis.

1 B. If it is determined on an evaluation of the patient's condition
2 that the patient is, as a result of a mental disorder, a danger to self or
3 to others or has a persistent or acute disability or a grave disability,
4 the medical director in charge of the agency that provided the evaluation,
5 unless the person applies for further care and treatment on a voluntary
6 basis, shall prepare, sign and file a petition for court-ordered treatment
7 unless the county attorney performs the functions of preparing, signing or
8 filing the petition as provided in subsection C of this section.

9 C. The agency may contact the county attorney to obtain assistance
10 in preparing the petition for court-ordered treatment, and the agency may
11 request the advice and judgment of the county attorney in reaching a
12 decision as to whether court-ordered treatment is justified.

13 D. A person being evaluated on an inpatient basis in an evaluation
14 agency shall be released within seventy-two hours, excluding weekends and
15 holidays, from the time that the person is hospitalized pursuant to a
16 court order for evaluation, unless the person applies for further care and
17 treatment on a voluntary basis or unless a petition for court-ordered
18 treatment has been filed pursuant to subsection B of this section.

19 E. If a prosecutor filed a petition pursuant to section 13-4517,
20 the medical director of an evaluation agency shall provide notice within
21 twenty-four hours to the court and the prosecuting agency of the medical
22 director's intention to release the person under this section. If the
23 person has been remanded to an evaluation agency pursuant to section
24 13-4517, the evaluation agency shall detain the person for an additional
25 twenty-four hours to allow for the provision of any required notices. The
26 medical director shall provide the patient's records, including medical
27 and treatment records, to the court and the prosecuting agency.

28 F. The administration may conduct jointly with a school district,
29 directly or indirectly, an educational evaluation pursuant to sections
30 15-765 and 15-766 for nonadjudicated youth. The evaluation information
31 may be shared by and among authorized personnel employed by the
32 administration and the department of education, or authorized personnel
33 from the local education agency, for purposes of ensuring the provision of
34 special education and related services as required by the individuals with
35 disabilities education act (20 United States Code sections 1400 through
36 1415).

37 G. IF A PERSON BEING EVALUATED ON AN INPATIENT BASIS IS RELEASED
38 PURSUANT TO THIS SECTION, THE MEDICAL DIRECTOR OF THE EVALUATION AGENCY
39 SHALL MAKE A WRITTEN STATEMENT ON A FORM AND IN A MANNER PRESCRIBED BY THE
40 DIRECTOR STATING WHY FURTHER EVALUATION WAS NOT APPROPRIATE AND WHY
41 RELEASE WAS APPROPRIATE. A COPY OF THIS WRITTEN STATEMENT SHALL BE FILED
42 WITH THE COURT THAT ENTERED THE ORDER FOR COURT-ORDERED EVALUATION TO BE
43 FILED AS A PART OF THE COURT RECORD AND SHALL BE MADE A PART OF THE
44 PATIENT'S MEDICAL RECORD.