

## INVOLUNTARY TREATMENT FOR THE MENTALLY ILL

(A/K/A 1013 and OTA)

Any physician within the State of Georgia may execute a certificate stating that he or she has personally examined a person within the preceding 48 hours and found that, based upon observations set forth in the certificate, such person appears to be a mentally ill person requiring involuntary treatment. A physician's certificate shall expire seven days after it is executed. Any police officer, sheriff's deputy or other peace officer, within 72 hours after receiving such certificate, shall make diligent efforts to take into custody the person named in the certificate and to deliver him or her forthwith to the nearest available emergency receiving facility serving the county in which the patient is found, where he or she shall be received for examination.

The probate court of the county in which a person may be found may also issue an order commanding any police officer, sheriff's deputy or other peace officer to take such person into custody and deliver him or her immediately for examination to the nearest available emergency receiving facility serving the county in which the patient is found. The said order, also known as a 1013 and/or Order to Apprehend (OTA) may only be issued if based either upon an unexpired physician's certificate, or upon the affidavits of at least two persons who attest that, within the preceding 48 hours, they have seen the person to be taken into custody and that, based upon observations contained in the affidavit, they have reason to believe such person is a mentally ill person requiring involuntary treatment. The court order shall expire seven days after it is executed.

Any police officer, sheriff's deputy or other peace officer taking into custody and delivering for examination a person determined to be mentally ill and in need of involuntary treatment shall execute a written report detailing the circumstances under which such person was taken into custody. The report and either the physician's certificate or court order authorizing such taking into custody shall be made a part of the patient's clinical record.

Any psychologist, clinical social worker, licensed professional counselor, or clinical nurse specialist in psychiatric/mental health may perform any act specified to be performed by a physician. Any reference in the Official Code of Georgia to a physician, pertaining to involuntary treatment for a person determined to be mentally ill, shall also be deemed to refer equally to a psychologist, a clinical social worker, a licensed professional counselor, or a clinical nurse specialist in psychiatric/mental health.