

EMERGENCY COMMITMENT APPLICATION

Application for Emergency Commitment of Intoxicated or Incapacitated Person under SDCL 34-20-A-63 (1985)

TO ADMINISTRATOR IN CHARGE Pennington County Sheriff's Office (PCSO) – Addiction Treatment Services

NAME OF PERSON TO BE COMMITTED _____

ADDRESS/PLACE OF RESIDENCE _____

AGE _____ SEX _____ RACE _____

SSN _____ DOB _____ LEVEL OF EDUCATION _____

MARITAL STATUS/LIVING ARRANGEMENTS _____

EMPLOYMENT STATUS _____

I request the above-named person be committed to your approved treatment facility for emergency treatment on the basis that the following conditions have been met:

_____ Intoxicated person who has threatened, attempted, or inflicted physical harm on self, on another, or is likely to inflict physical harm on self or on another unless committed. **"INTOXICATED PERSON"** means a person who demonstrates diminished mental or physical capacity as a result of the use of alcohol and/or drugs.

_____ Incapacitated by the effects of alcohol and/or drugs. **"INCAPACITATED BY ALCOHOL OR OTHER DRUGS"** means a person, as a result of the use of alcohol and/or drugs, is unconscious or judgment is otherwise so impaired and incapable of realizing and making a rational decision with respect to need for treatment.

_____ Pregnant and is abusing alcohol and/or drugs. **"PREGNANT SUBSTANCE ABUSER"** who habitually lacks self-control as to the use of alcohol or controlled drugs or substances to the extent that the woman's health or the health of her unborn child is substantially impaired or endangered.

ABOVE-NAMED INDIVIDUAL CONSUMES/USES THE FOLLOWING SUBSTANCES _____

AMOUNTS OF SUBSTANCES USED _____

FREQUENCY OF INDIVIDUAL'S USE _____

LENGTH OF TIME INDIVIDUAL HAS USED IN THIS MANNER _____

DESCRIBE CIRCUMSTANCES, BEHAVIORS, AND CONSEQUENCES DUE TO ABOVE-NOTED USE _____

DATE _____ DAYTIME PHONE NUMBER _____ ADDRESS _____

PRINTED NAME OF PERSON APPLYING _____ SIGNATURE OF PERSON APPLYING _____

This information has been disclosed to you from records whose confidentiality is protected by Federal Law. Federal regulations prohibit you from making any further disclosure of it without the specific written consent of the person to whom it pertains or as otherwise permitted by such regulation. A general authorization for the release of medical information is not sufficient for this purpose.

PCSO – Addiction Treatment Services accepts the above-named person for emergency treatment until the grounds of commitment no longer exist but for a period of not more than five (5) days, excluding Saturdays, Sundays, and legal holidays, under the provision of SDCL 34-20A-69. If a petition for involuntary commitment under SDCL 34-20A-70 has been filed within the five (5) days, excluding Saturdays, Sundays, and legal holidays, and the administrator of an approved treatment facility finds that grounds for emergency commitment still exist, then the person shall be held until the petition has been heard and determined but no longer than ten (10) days, excluding Saturdays, Sundays, and legal holidays, after filing the petition.

In accordance with SDCL 34-20A-67, the committed person will be advised in writing of his right to counsel and shall be given a copy of this application within twenty-four (24) hours after commitment by the Administrator, who shall provide the committed person a reasonable opportunity for the person to consult counsel.

Application accepted not accepted because _____

PRINTED NAME OF ADMINISTRATOR

SIGNATURE OF ADMINISTRATOR

DATE

Notice to person admitted for emergency commitment

DATE

Pursuant to the provision of SDCL 34-20A-63 (1985) as amended, you are hereby notified that you have been accepted for emergency treatment on the basis of the application for emergency commitment as shown above. You are further advised that you might be held for treatment until the grounds for emergency commitment no longer exist. In no event may you be held for a period longer than five (5) days, excluding Saturdays, Sundays, and legal holidays, unless a petition for involuntary commitment has been filed with the Court and grounds for emergency commitment still exist. If a petition for involuntary commitment has been filed with the Court, you may be held for a period no longer than ten (10) days, excluding Saturdays, Sundays, and legal holidays, from the filing of the petition.

You have the right to challenge such detention by application to the Courts for a Writ of Habeas Corpus, to consult with and be represented by counsel at every stage of any proceedings relating to your commitment and possible recommitment, and to have counsel appointed by the Court or provided by the Court if assistance is desired but unobtainable.

PRINTED NAME OF RESPONDENT

SIGNATURE OF RESPONDENT

DATE

This information has been disclosed to you from records whose confidentiality is protected by Federal Law. Federal regulations prohibit you from making any further disclosure of it without the specific written consent of the person to whom it pertains or as otherwise permitted by such regulation. A general authorization for the release of medical information is not sufficient for this purpose.