

## § 7628. Protocol

The department of mental health shall develop and adopt by rule a strict protocol to ensure the health, safety, dignity and respect of patients subject to administration of involuntary psychiatric medications in any designated hospital.

The protocol shall expressly prohibit:

- a) Dosages which alone or in combination exceed the maximum dosage recommended by the Food and Drug Administration for a patient's diagnosed condition
- b) Administration of psychiatric medication by nasogastric intubation
- c) Administration of psychiatric medication by long-acting injection.

This protocol shall be followed by all designated hospitals administering involuntary psychiatric medications.

## §7624. Petition for involuntary medication

(c) The petition shall include a certification from the treating physician, executed under penalty of perjury, that includes the following information:

~~(2) the necessity for involuntary medication, including the person's competency to decide to accept or refuse medication;~~

Substitute:

1) The person is refusing the proposed medication

2)the person lacks the capacity to decide to accept or refuse medication and appreciate the consequences

[Here or somewhere: A person who has the capacity to accept medication has the capacity to refuse medication.]

(Renumber what follows)