

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21

H.573

An act relating to the first certification of an emergency examination

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. 18 V.S.A. § 7110 is amended to read:

§ 7110. ~~CERTIFICATION OF MENTAL ILLNESS~~

~~A certification of mental illness by a licensed physician required by section 7504 of this title shall be made by a board-eligible psychiatrist, a board-certified psychiatrist, or a resident in psychiatry, under penalty of perjury. In areas of the State where board-eligible psychiatrists, board-certified psychiatrists, or residents in psychiatry are not available to complete admission certifications to the Vermont State Hospital or its successor in interest, the Commissioner may designate other licensed physicians as appropriate to complete certification for purposes of section 7504 of this title. [Repealed.]~~

Sec. 2. 18 V.S.A. § 7504 is amended read:

§ 7504. APPLICATION AND CERTIFICATE FOR EMERGENCY  
EXAMINATION

(a) Upon written application by ~~an interested party~~ a qualified mental health professional made under the pains and penalties of perjury and accompanied by a certificate by a ~~licensed physician~~ health care professional who is not the applicant, a person shall be held for admission to a hospital for an emergency examination to determine if ~~he or she~~ the person is a person in

1 need of treatment. The application and certificate shall set forth the facts and  
2 circumstances that constitute the need for an emergency examination and that  
3 show that the person is a person in need of treatment.

4 (b) The application and certificate shall be authority for transporting the  
5 person to a hospital for an emergency examination, as provided in section 7511  
6 of this title.

7 (c) ~~For the purposes of admission~~ Admission of an individual to a  
8 designated hospital for care and treatment under this section, shall be overseen  
9 by a head of a hospital, as provided in subsection (a) of this section, who may  
10 ~~include a person designated~~ designate a person in writing ~~by the head of the~~  
11 ~~hospital~~ to discharge the authority granted in this ~~section~~ subsection. A  
12 designated person must be an official hospital administrator, supervisory  
13 personnel, or a licensed physician on duty on the hospital premises other than  
14 the certifying ~~physician~~ health care professional under subsection (a) of this  
15 section.

16 (d) Prior to issuing a certificate pursuant to this section, a health care  
17 professional shall successfully complete a training developed and administered  
18 by the Department.

19 (e) As used in this section, "health care professional" means a physician  
20 licensed pursuant to 26 V.S.A. chapter 23 or 33, an advanced practice

1 registered nurse licensed pursuant to 26 V.S.A. chapter 28, or a physician  
2 assistant licensed pursuant to 26 V.S.A. chapter 31.

3 Sec. 3. EFFECTIVE DATE

4 This act shall take effect on July 1, 2026.