**253B.06 INITIAL ASSESSMENT.**

Subdivision 1. **Persons with mental illness or developmental disability.** A physician must examine every patient hospitalized due to mental illness or developmental disability pursuant to section 253B.04 or 253B.051 as soon as possible but no more than 48 hours following the patient's admission. The physician must be knowledgeable and trained in diagnosing the patient's mental illness or developmental disability, forming the basis of the patient's admission.

Subd. 2. **Chemically dependent persons.** A treatment facility, state-operated treatment program, or community-based treatment program must examine a patient hospitalized as chemically dependent pursuant to section 253B.04 or 253B.051 within 48 hours of admission. At a minimum, the facility or program must physically examine the patient according to procedures established by a physician, advanced practice registered nurse, or physician assistant, and staff examining the patient must be knowledgeable and trained in the diagnosis of the alleged disability forming the basis of the patient's admission as a chemically dependent person.

Subd. 2a. **Patient refusal.** If a patient refuses to be examined, the determination of the patient's need for treatment may be based on other available information and documented in the patient's medical record.

Subd. 3. **Discharge.** At the end of a 48-hour period, the facility or program shall discharge a patient admitted pursuant to section 253B.051 if an examination has not been held or if the examiner or evaluation staff person fails to notify the head of the facility or program in writing that in the examiner's or staff person's opinion the patient is in need of care, treatment, and evaluation as a person who has a mental illness, developmental disability, or chemical dependency.

**History:** *1982 c 581 s 6; 1983 c 251 s 10; 1986 c 444; 1997 c 217 art 1 s 35; 2002 c 221 s 22; 2005 c 56 s 1; 2020 c 115 art 4 s 102; 1Sp2020 c 2 art 6 s 34-36; 2022 c 58 s 125*