

ENROLLED ACT NO. 25, HOUSE OF REPRESENTATIVES

SIXTY-FIRST LEGISLATURE OF THE STATE OF WYOMING  
2011 GENERAL SESSION

AN ACT relating to hospitalization of mentally ill persons; amending the definition of examiner for purposes of emergency detention; providing that an emergency detention hearing may be waived as specified; and providing for an effective date.

*Be It Enacted by the Legislature of the State of Wyoming:*

**Section 1.** W.S. 25-10-101(a)(iv) and 25-10-109(h) are amended to read:

**25-10-101. Definitions.**

(a) As used in this act:

(iv) "Examiner" means a licensed psychiatrist, a licensed physician, ~~a licensed advanced practitioner of nursing~~ an advanced practice registered nurse with a clinical specialty in psychiatric and mental health nursing working in collaboration with a licensed physician, a licensed psychologist, a licensed professional counselor, a licensed addictions therapist, a licensed clinical social worker or a licensed marriage and family therapist. For purposes of emergency detention proceedings only, "examiner" includes a licensed physician's assistant;

**25-10-109. Emergency detention.**

(h) When a person is detained in emergency detention and an application for involuntary hospitalization is filed, the court shall appoint an attorney to represent the detained person unless he has his own attorney, and the court shall conduct a hearing within seventy-two (72) hours, excluding Saturdays, Sundays and legal holidays, of the initial detention to determine whether continued

ORIGINAL HOUSE  
BILL NO. 0095

ENROLLED ACT NO. 25, HOUSE OF REPRESENTATIVES

SIXTY-FIRST LEGISLATURE OF THE STATE OF WYOMING  
2011 GENERAL SESSION

detention is required pending involuntary hospitalization proceedings. Notice of the preliminary hearing shall be given to the detained person and his attorney. The court may delay the hearing only at the request of the detained person or his parent, guardian or his attorney. An emergency detention hearing may be waived at the request of the detained person or the detained person's attorney, except in cases where a licensed physician's assistant was the only examiner for the emergency detention. If an emergency detention hearing has been waived, the court may immediately conduct the involuntary hospitalization hearing, provided that a licensed physician's assistant shall not be the examiner for an involuntary hospitalization hearing.

**Section 2.** This act is effective July 1, 2011.

(END)

\_\_\_\_\_  
Speaker of the House

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Governor

TIME APPROVED: \_\_\_\_\_

DATE APPROVED: \_\_\_\_\_

I hereby certify that this act originated in the House.

\_\_\_\_\_  
Chief Clerk

ORIGINAL HOUSE  
BILL NO. 0095

ENROLLED ACT NO. 25, HOUSE OF REPRESENTATIVES

SIXTY-FIRST LEGISLATURE OF THE STATE OF WYOMING  
2011 GENERAL SESSION