**Requirements of 24-Hour Facilities**

Voluntary Admission—Parts 3 and 4, Article 5 of G.S. 122C

1. The legally responsible person for the adult or minor must sign a written application for admission.
2. The application must acknowledge that the applicant for admission may be held for a period of 72 hours following any written request for release and that the facility may petition for involuntary commitment during that period.
3. The facility must tell the legally responsible person about procedures for discharge at the time of application.
4. The facility must evaluate the patient to determine whether the patient is mentally ill or a substance abuser and in need of care or treatment at the facility. Where medical care is an integral component of the treatment at the facility, a physician must examine and evaluate the individual within 24 hours of admission.
5. A judicial hearing must be held within 10 days (adult) or 15 days (minor) of admission. The written application for admission shall serve as the initiating document for the hearing.
6. Within 24 hours of admission, the facility shall (a) notify the clerk of court that a hearing for concurrence in the admission must be scheduled (DMH 5-76-1), (b) provide the names and addresses of the legally responsible person and the responsible professional, (c) provide a copy of the application for admission, and (d) provide a copy of the evaluation.
7. The facility should provide the respondent’s counsel with copies of:
   1. Request for Hearing (Form DMH 5-76-1)
   2. Written application of the legally responsible person.
   3. Clinician’s evaluation (“Evaluation for Admission/Continued Stay”, Form DMH 573-01)
   4. Order of appointment of guardian (Clerk’s order from incompetency proceeding.)
8. The clerk of court shall assign counsel, calendar a hearing, and notify the respondent, his counsel, and the petitioner of the time and place of the hearing.
9. Once the court has concurred in the admission: (a) the legally responsible person for a minor may request and obtain discharge, but (b) in the case of an incompetent adult, only the facility or court may release the patient unless the guardian applies for a hearing for discharge.
10. Fifteen days before the end of the authorized admission, if the responsible professional recommends continued stay beyond the initial period, the responsible person shall so notify the clerk. (Form DMH 5-76-1)

Involuntary Commitment—Part 7, Article 5 of G.S. 122C

1. Within 24 hours of the respondent’s arrival at a 24-hour facility under a custody and transportation order, a physician must examine the respondent.
2. If the 24-hour facility is the same facility where the first IVC exam was performed, the second examination shall occur not later than the following regular working day.
3. A hearing must be held within 10 days of the day that the respondent was initially taken into law enforcement custody under the authority of a custody order.
4. The findings of the physician and the facts on which they are based shall be in writing and sent to the clerk of superior court by “reliable and expeditious means.” Send to clerk:
   1. “24 Hour Facility Exam for Involuntary Commitment” (Form DMH 5-72-19-2)
   2. “Request for Hearing” (Form DMH 5-76-1)
5. Provide respondent’s counsel copies of:
   1. Petition and Affidavit (AOC-SP-300)
   2. Custody order (AOC-SP-302A or AOC-SP-302b)
   3. The examination form completed at site of first exam (Form DMH 5-72-19)
   4. The examination form (“second exam”) completed at the 24-hour facility (Form DMH 5-72-19-2)
   5. Request for Hearing (Form DMH 5-76-1)
6. Upon receipt of the physician’s findings that the respondent meets the criteria for inpatient commitment, the clerk of court shall assign counsel, calendar a hearing, and notify the respondent, his counsel, and the petitioner of the time and place of the hearing.
7. Fifteen days before the end of the initial inpatient commitment, if the attending physician determines that commitment beyond the initial period will be necessary, she shall so notify the clerk. (Form DMH 5-76-1)
8. At least 10 days before the end of the initial period, the clerk shall calendar the rehearing.