

**SENATE, No. 2445**

**STATE OF NEW JERSEY**  
**213th LEGISLATURE**

INTRODUCED DECEMBER 15, 2008

**Sponsored by:**  
**Senator RICHARD J. CODEY**  
**District 27 (Essex)**

**SYNOPSIS**

Requires DHS to establish standardized admission protocols and medical clearance criteria for admission to State or county psychiatric hospital or short-term care facility.

**CURRENT VERSION OF TEXT**

As introduced.



1 AN ACT concerning admission to certain psychiatric facilities and  
2 supplementing Title 30 of the Revised Statutes.

3

4 **BE IT ENACTED** *by the Senate and General Assembly of the State*  
5 *of New Jersey:*

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7 1. a. The Assistant Commissioner of the Division of Mental  
8 Health Services in the Department of Human Services, in  
9 consultation with the New Jersey Hospital Association, the Hospital  
10 Alliance of New Jersey, the New Jersey Council of Teaching  
11 Hospitals, the New Jersey Chapter of the American College of  
12 Emergency Physicians, and the New Jersey Psychiatric Association,  
13 shall develop standardized admission protocols and medical  
14 clearance criteria for transfer or admission of a hospital emergency  
15 department patient to a State or county psychiatric hospital or a  
16 short-term care facility.

17 The standardized admission protocols shall include, but not be  
18 limited to, the following elements:

19 (1) routine laboratory and diagnostic tests, based on nationally  
20 recognized standards of care, for patients whose clinical  
21 presentation warrant such testing. The assigned physician at the  
22 psychiatric hospital or facility shall not be permitted to request  
23 additional tests on the basis of an abnormal value; however, the  
24 examining physician in the emergency department may order any  
25 follow-up tests that may be necessary in the clinical judgment of the  
26 examining physician. If there is a clinical disagreement between  
27 the examining physician at the emergency department and the  
28 assigned physician at the psychiatric hospital or facility, the  
29 physicians shall engage in direct physician-to-physician  
30 communication to resolve the disagreement;

31 (2) a medical clearance checklist form for transfer or admission  
32 to a State or county psychiatric hospital or a short-term care facility,  
33 including contraindications for admission to a State or county  
34 psychiatric hospital or short-term care facility;

35 (3) guidelines for emergency medical services personnel when  
36 there is a delay in accepting patients at the receiving State or county  
37 psychiatric hospital or short-term care facility once patient transport  
38 has begun;

39 (4) procedures for requesting a transfer of a patient to a State or  
40 county psychiatric hospital or short-term care facility by emergency  
41 department personnel and procedures for accepting a transfer of a  
42 patient by a State or county psychiatric hospital or short-term care  
43 facility;

44 (5) procedures to contact the designated State or county  
45 psychiatric hospital or short-term care facility physician who is  
46 responsible for coordinating medical clearance of a patient, on a 24-  
47 hours per day, seven-days-a-week basis; and

1 (6) a mechanism for training emergency department hospital  
2 staff, screening center staff, State and county psychiatric hospital  
3 staff, short-term care facility staff, and emergency medical services  
4 staff in the standardized admission protocols established pursuant to  
5 this section.

6 b. The assistant commissioner shall collect data from the  
7 hospital emergency departments and State and county psychiatric  
8 hospitals and short-term care facilities regarding the protocols  
9 established pursuant to this section and evaluate the effectiveness of  
10 the protocols on patient care one year after their implementation.

11  
12 2. The Commissioner of Human Services shall, in accordance  
13 with the “Administrative Procedure Act,” P.L.1968, c.410  
14 (C.52:14B-1 et seq.), adopt such rules and regulations as the  
15 commissioner deems necessary to carry out the provisions of this  
16 act.

17  
18 3. This act shall take effect on the 90th day after enactment, but  
19 the Commissioner of Human Services may take such anticipatory  
20 administrative action in advance thereof as shall be necessary for  
21 the implementation of this act.

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24 STATEMENT

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26 This bill requires the Assistant Commissioner of the Division of  
27 Mental Health Services, in consultation with the New Jersey  
28 Hospital Association, the Hospital Alliance of New Jersey, the New  
29 Jersey Council of Teaching Hospitals, the New Jersey Chapter of  
30 the American College of Emergency Physicians, and the New  
31 Jersey Psychiatric Association, to develop standardized admission  
32 protocols and medical clearance criteria for transfer or admission of  
33 a hospital emergency department patient to a State or county  
34 psychiatric hospital or short-term care facility.

35 The standardized admission protocols shall include, but not be  
36 limited to, the following elements:

- 37 • routine laboratory and diagnostic tests, based on nationally  
38 recognized standards of care, for patients whose clinical  
39 presentation warrant such testing. The assigned physician at  
40 the psychiatric hospital or facility shall not be permitted to  
41 request additional tests on the basis of an abnormal value;  
42 however, the examining physician in the emergency  
43 department may order any follow-up tests that may be  
44 necessary in the clinical judgment of the examining physician.  
45 If there is a clinical disagreement between the examining  
46 physician at the emergency department and the assigned  
47 physician at the psychiatric hospital or facility, the physicians

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- 1 shall engage in direct physician-to-physician communication  
2 to resolve the disagreement;
- 3 • a medical clearance checklist form for transfer or admission to  
4 a State or county psychiatric hospital or short-term care  
5 facility, including contraindications for admission to a State or  
6 county psychiatric hospital or short-term care facility;
  - 7 • guidelines for emergency medical services personnel when  
8 there is a delay in accepting patients at the receiving State or  
9 county psychiatric hospital or short-term care facility once  
10 patient transport has begun;
  - 11 • procedures for requesting a transfer of a patient to a State or  
12 county psychiatric hospital or short-term care facility by  
13 emergency department personnel and procedures for accepting  
14 a transfer of a patient by a State or county psychiatric hospital  
15 or short-term care facility;
  - 16 • procedures to contact the designated State or county  
17 psychiatric hospital or short-term care facility physician who is  
18 responsible for coordinating medical clearance of a patient, on  
19 a 24-hours per day, seven-days-a-week basis; and
  - 20 • a mechanism for training emergency department hospital staff,  
21 screening center staff, State and county psychiatric hospital  
22 staff, short-term care facility staff, and emergency medical  
23 services staff in the standardized admission protocols  
24 established pursuant to this bill.

25 The bill also requires the assistant commissioner to collect data  
26 from the hospital emergency departments and State and county  
27 psychiatric hospitals and short-term care facilities regarding the  
28 protocols established pursuant to this bill and evaluate the  
29 effectiveness of the protocols on patient care one year after their  
30 implementation.

31 The bill takes effect on the 90th day after enactment, but the  
32 Commissioner of Human Services is authorized to take such  
33 anticipatory administrative action in advance thereof as shall be  
34 necessary for its implementation.