

four year public high school or its equivalent and, as a part thereof or in addition thereto, shall have successfully completed a course of not less than eight months in shorthand and typewriting, at an annual salary of three thousand six hundred sixty-six dollars (\$3666), each;

In lieu of any one of the said stenographers, the President pro tempore may appoint two part time stenographers who shall possess the same qualifications as above at an annual combined salary of three thousand six hundred sixty-six dollars (\$3666).

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APPROVED—The 20th day of September, A. D. 1961.

DAVID L. LAWRENCE

No. 648

AN ACT

Amending the act of June 12, 1951 (P. L. 533), entitled "An act relating to mental health, including mental illness, mental defect, epilepsy and inebriety; and amending, revising, consolidating and changing the laws relating thereto," regulating voluntary admission of minors to institutions and further regulating emergency commitments.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

The Mental Health Act of 1951.

Section 301, act of June 12, 1951, P. L. 533, amended January 14, 1952, P. L. 2053, further amended.

Section 1. Section 301, act of June 12, 1951 (P. L. 533), known as "The Mental Health Act of 1951," amended January 14, 1952 (P. L. 2053), is amended to read:

Section 301. Application for Voluntary Admission.—

(a) Application for voluntary admission as a patient may be made—

(1) By any person thought to be mentally ill, to the superintendent of any mental hospital.

(2) By any epileptic twenty-one years of age or older, to the superintendent of any school or institution for the care of epileptics.

(3) By any inebriate, to the superintendent of any mental hospital, institution for the care of inebriates, or of any general hospital maintaining a psychiatric department or ward.

(4) *In the interest of any person under twenty-one years of age thought to be mentally ill, to the superintendent of any mental hospital.*

(b) Every such application shall be in writing, and signed by the applicant in the presence of at least one witness. *In the case of a person under twenty-one years of age, the application shall be in writing, and signed by the person's parent or guardian or other person liable for his support.*

Section 2. Section 304 of the act is amended by adding, after subsection (a), a new subsection to read:

Section 304 of the act, amended by adding a new subsection (a.1).

Section 304. Limits of Detention of Voluntary Patients; Notice to Relatives, etc.— * * *

(a.1) No person under twenty-one years of age admitted shall be detained for more than ten days after the person who applied for his admission has given written notice to the superintendent of intention or desire to remove the patient. Under no circumstances shall a person under twenty-one years of age admitted voluntarily remain a patient for more than thirty days, unless prior to the expiration of such thirty day period, an order of court is obtained committing the person to the institution. It shall be the duty of the Department of Public Welfare to advise the person admitted of his right to release unless such order of court is obtained and also of his rights with respect to the hearing before the court.

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Section 3. Subsection (c) of section 311 of the act is amended to read:

Subsection (c), section 311 of the act, amended.

Section 311. Admission by Superintendent on Application of Relative, etc., and Physician's Certificate. — * * *

(c) Every application shall be in writing on a form prescribed by the department. [The applicant shall state the name, sex, age and residence of the patient, the opinion that the patient is mentally ill, mentally defective or epileptic, and that the patient is a fit subject for care and will be benefited by admission; the facts on which such opinions are based, and any other information required by the department. If any information required is unknown to the applicant, he shall so state.]

* * * * *

Section 4. Subsection (a) of section 312 of the act, amended September 22, 1951 (P. L. 1429), January 14, 1952 (P. L. 2053) and November 30, 1959 (P. L. 1610), is amended to read:

Subsection (a), section 312 of the act, amended September 22, 1951, P. L. 1429, January 14, 1952, P. L. 2053 and November 30, 1959, P. L. 1610, further amended.

Section 312. Contents of Physician's Certificate.—

(a) In every qualified physician's certificate required by this act for the admission or commitment of a patient, the physician issuing the same shall state

- [(1) His residence;
- (2) That he has resided in this State for at least one year;
- (3) That he has been licensed to practice medicine or osteopathy in this State;
- (4) That he has been in the actual practice of medicine or osteopathy for at least three years, or has had at least one year's experience as a medical or an osteopathic physician in an institution;
- (5) That he is not related by blood or marriage to the patient or applicant;
- (6) That he is not a member of the full-time staff of the institution to which admission is sought;
- (7) That he has examined the patient with care and diligence within a week of making the certificate;
- (8) That, in his opinion, the patient is or is thought to be mentally ill, mentally defective, inebriate or epileptic, or is in need of and will be benefited by care and the admission applied for;
- (9) The information relative to the patient given him by others, and the facts as to the physical and mental condition and the behavior of the patient which he has observed and on which he bases his opinion;
- (9.1) In the case of mental deficiency, the results and conclusions from recognized psychological tests; and
- (10) Such other information as the particular request for admission or commitment or as the department may require.] *such information as the department may require on a form prescribed by the department.*

Subsection (b), section 314 of the act, amended November 30, 1959, P. L. 1610, further amended.

Section 5. Subsection (b) of section 314 of the act, amended November 30, 1959 (P. L. 1610), is amended to read:

Section 314. Admission for Temporary or Emergency Detention.—

* * * * *

(b) The application shall be in writing, and may be made by a relative, legal guardian or friend of the person sought to be admitted, or, in the case of a patient having no legal guardian or no available responsible friend or relative, by the executive officer or an authorized agent of a health or welfare organization. It shall be accompanied by the certificate of at least one qualified physician, which shall also state that immediate temporary care in a mental hospital is necessary for the person sought to be admitted by reason of mental illness, *except that, in an emergency, the certificate shall be supplied*

within twenty-four hours after the admission of the person. Such certificate need not be sworn to or affirmed.

* * * * *

Section 6. Subsection (c) of section 326 of the act is amended to read:

Subsection (c), section 326 of the act, amended.

Section 326. Petition of Commitment.—* * *

(c) Every such application or petition shall be in the form prescribed by the department. [It shall state the name, sex, age and residence of the person sought to be committed, the opinion of the petitioner that such person is mentally ill, epileptic, mentally defective or inebriate, and is a fit subject for care, or needs observation, diagnosis and treatment in the type of institution to which commitment is sought, together with the facts on which such opinion is based, and such other facts as the department may require. If any of the facts are unknown, the petition shall so state.]

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Section 7. Subsection (c) of section 328 of the act, amended January 14, 1952 (P. L. 2053), is amended to read:

Subsection (c), section 328 of the act, amended January 14, 1952, P. L. 2053, further amended.

Section 328. Hearings; Commitment.—

* * * * *

(c) If the court approves the report of a commission that the person in question is mentally ill and is a proper subject for admission to a mental hospital, or is satisfied that the person sought to be committed is a proper subject for care, or that the safety and welfare of the public require such commitment, the court shall make an order committing the person to the [institution named in the petition] *Department of Public Welfare for treatment in an appropriate institution*, and direct his removal [thereto] by a proper person *to the institution designated by the department*.

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APPROVED—The 20th day of September, A. D. 1961.

DAVID L. LAWRENCE

No. 649

AN ACT

Amending the act of June 1, 1945 (P. L. 1242), entitled "An act relating to roads, streets, highways and bridges; amending, revising, consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto," authorizing adoption of a system for qualification of competent and responsible bidders on highway projects.