



Emergency Hospitalization for Evaluation Assisted Psychiatric Treatment Standards by State

This chart captures the most essential information about the criteria for emergency hospitalization in a treatment facility for a psychiatric evaluation.

Please note that while this chart contains much of each standard’s actual language, it summarizes only the most crucial provisions of the pertinent statutes for each state. This information does not constitute legal advice and should not be relied upon as a substitute for seeking legal counsel.

STATE	RELEVANT CODE SECTIONS	STANDARDS FOR EMERGENCY HOSPITALIZATION FOR EVALUATION (may be termed "hold" "pick-up," "detention," "provisional hospitalization," "72-hour emergency admission" or other, depending on state).
AL	ALA. CODE § 22-52-91(a) § 22-52-7(b)	<p>If [a] community mental health officer determines from the conditions, symptoms, and behavior that the person appears to be mentally ill and poses an immediate danger to self or others, [a] law enforcement officer shall take the person into custody and, together with the community mental health officer, deliver the person directly to the designated mental health facility[.]</p> <p>No limitations shall be placed upon the respondent's liberty nor treatment imposed upon the respondent unless such limitations are necessary to prevent the respondent from doing substantial and immediate harm to himself or to others or to prevent the respondent from leaving the jurisdiction of the court.</p>
AK	ALASKA STAT. § 47.30.705(a)	[Where there is] probable cause to believe that a person is gravely disabled or is suffering from mental illness and is likely to cause serious harm to self or others of such immediate nature that considerations of safety do not allow initiation of involuntary commitment procedures set out in AS 47.30.700, ... the person [may] be taken into custody and delivered to the nearest evaluation facility.
AZ	ARIZ. REV. STAT. § 36-524	A. A written application for emergency admission shall be made to an evaluation agency before a person may be hospitalized in the agency.

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		B. The application for emergency admission shall be made by a person with knowledge of the facts requiring emergency admission. The applicant may be a relative or friend of the person, a peace officer, the admitting officer or another responsible person.
AR	ARK. CODE ANN. § 20-47-210(a)	Whenever it appears that a person is of danger to himself or herself or others, as defined in § 20-47-207, and immediate confinement appears necessary to avoid harm to the person or others ...
CA	CALIF. WELF. & INST. CODE § 5150	When any person, as a result of mental disorder, is a danger to others, or to himself or herself, or gravely disabled, [designated persons] may, upon probable cause, take, or cause to be taken, the person into custody and place him or her in a ... facility for 72-hour treatment and evaluation.
CO	COLO. REV. STAT. § 27-65-105(1)	Emergency procedure may be invoked under either one of the following two conditions: <ul style="list-style-type: none"> (a) (I) When any person appears to have a mental illness and, as a result of such mental illness, appears to be an imminent danger to others or to himself or herself or appears to be gravely disabled, then a person ... referred to in this section as the "intervening professional," upon probable cause and with such assistance as may be required, may take the person into custody, or cause the person to be taken into custody, and placed in a facility designated or approved by the executive director for a seventy-two-hour treatment and evaluation. (b) Upon an affidavit sworn to or affirmed before a judge that relates sufficient facts to establish that a person appears to have a mental illness and, as a result of the mental illness, appears to be an imminent danger to others or to himself or herself or appears to be gravely disabled, the court may order the person described in the affidavit to be taken into custody and placed in a facility designated or approved by the executive director for a seventy-two-hour treatment and evaluation.
CT	CONN. GEN. STAT. ANN. § 17a-502(a)	Any person who a physician concludes has psychiatric disabilities and is dangerous to himself or others or gravely disabled, and is in need of immediate care and treatment in a hospital for psychiatric disabilities, may be confined in such a hospital, either public or private[.]
DE	DEL. CODE ANN. tit. 16 § 5003	Upon the signed complaint of any person stating the person has knowledge that a designated person appears to be so mentally ill as to be likely to cause injury to oneself or others and to require immediate care, treatment or restraint, setting forth a description of the behavior and symptoms which led the person to the person's conclusion, such alleged mentally ill person shall be promptly taken into custody by any peace officer of the State to whom the complaint is delivered without the necessity of a warrant.
DC	D.C. CODE ANN. § 21-521.	An accredited officer or agent of the Department of Mental Health of the District of Columbia, or an officer authorized to make arrests in the District of Columbia, or a physician or qualified psychologist of the person in question, who has reason to believe that a person is mentally ill and, because of the illness, is likely to injure himself or others if he is not immediately detained may, without a warrant, take the person into custody.

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FL	FLA. STAT. § 394.463(1)	<p>[A] person may be taken to a receiving facility for involuntary examination if there is reason to believe that the person has a mental illness and because of his or her mental illness:</p> <p>(a) 1. The person has refused voluntary examination after conscientious explanation and disclosure of the purpose of the examination; or</p> <p>2. The person is unable to determine for himself or herself whether examination is necessary; and</p> <p>(b) 1. Without care or treatment, the person is likely to suffer from neglect or refuse to care for himself or herself; such neglect or refusal poses a real and present threat of substantial harm to his or her well-being; and it is not apparent that such harm may be avoided through the help of willing family members or friends or the provision of other services; or</p> <p>2. There is a substantial likelihood that without care or treatment the person will cause serious bodily harm to himself or herself or others in the near future, as evidenced by recent behavior.</p>
GA	GA. CODE ANN. § 37-3-41(a) § 37-3-42(a)	<p>"Any physician within this state may execute a certificate stating that he has personally examined a person within the preceding 48 hours and found that, based upon observations set forth in the certificate, the person appears to be a 'mentally ill person requiring involuntary treatment'."</p> <p>"A peace officer may take any person to a physician within the county or an adjoining county for emergency examination by the physician, or directly to an emergency receiving facility if (1) the person is committing a penal offense, and (2) the peace officer has probable cause for believing that the person is a 'mentally ill person requiring involuntary treatment'."</p>
HI	HAW. REV. STAT. § 334-59(a)(1)	<p>If a police officer has reason to believe that a person is imminently dangerous to self or others, or is gravely disabled, or is obviously ill, the officer shall call for assistance from the mental health emergency workers designated by the director.</p>
ID	IDAHO CODE § 66-326(1) § 66-326(2)	<p>[A] person may be taken into custody ... [or] detained [for emergency evaluation upon] reason to believe that the person is gravely disabled due to mental illness or the person's continued liberty poses an imminent danger to that person or others, as evidenced by a threat of substantial physical harm[.]</p> <p>If the court finds the individual to be gravely disabled due to mental illness or imminently dangerous under subsection (1) of this section, the court shall issue a temporary custody order[.]</p>
IA	IOWA CODE § 229.11(1) § 229.22(1)-(2a)	<p>If ... the judge ... finds probable cause to believe that the respondent has a serious mental impairment and is likely to injure the respondent or other persons if allowed to remain at liberty, the judge may enter a written order directing that the respondent be taken into immediate custody by the sheriff or the sheriff's deputy and be detained until the hospitalization hearing.</p>

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		[Where] it appears that a person should be immediately detained due to serious mental impairment, but that person cannot be immediately detained by the procedure prescribed in sections 229.6 and 229.11 because there is no means of immediate access to the district court ... any peace officer who has reasonable grounds to believe that a person is mentally ill, and because of that illness is likely to physically injure the person's self or others if not immediately detained, may without a warrant take or cause that person to be taken to the nearest available facility or hospital.
IL	405 ILL. COMP. STAT. 5/3-600	A person 18 years of age or older who is subject to involuntary admission on an inpatient basis and in need of immediate hospitalization may be admitted to a mental health facility pursuant to this Article.
IN	IND. CODE ANN. § 12-26-5-1(b)	<p>An application [for emergency evaluation] must contain both of the following:</p> <ul style="list-style-type: none"> (1) A statement of the applicant's belief that the individual is: <ul style="list-style-type: none"> (A) mentally ill and either dangerous or gravely disabled; and (B) in need of immediate restraint. (2) A statement by at least one (1) physician that, based on: <ul style="list-style-type: none"> (A) an examination; or (B) information given the physician; <p>the individual may be mentally ill and either dangerous or gravely disabled.</p>
KS	KAN. STAT. ANN. § 59-2953(a). § 59-2954(c)(3)	<p>[A] mentally ill person [who] because of such person's mental illness is likely to cause harm to self or others if allowed to remain at liberty may [be taken by a law enforcement officer] into custody without a warrant.</p> <p>[An application to a treatment facility for emergency detention of a person shall state] the applicant's belief that the person may be a mentally ill person subject to involuntary commitment and because of the person's mental illness is likely to cause harm to self or others if not immediately detained[.]</p>
KY	KY. REV. STAT. ANN. § 202A.041(1) § 202A.028(1)	<p>[A] individual [who] is mentally ill and presents a danger or threat of danger to self, family, or others if not restrained shall [be taken by a peace officer] into custody and transport[ed] without necessary delay to a hospital or psychiatric facility.</p> <p>Following an examination by a qualified mental health professional and a certification by that professional that the person meets the criteria for involuntary hospitalization, a judge may order the person hospitalized for a period not to exceed seventy-two (72) hours, excluding weekends and holidays.</p>
LA	LA. REV. STAT. ANN. § 28:54(D)(3) § 28:53	<p>If the respondent refuses to be examined by the court appointed physician ... or if the judge, after reviewing the petition and an affidavit ... or the report of the treating physician or the court appointed physician, finds that the respondent is mentally ill or suffering from substance abuse and is in need of immediate hospitalization to protect the person or others from physical harm, or that the respondent's condition may be markedly worsened by delay, then the court may issue a court order for custody of the respondent[.]</p> <p>Admission by emergency certificate; extension</p>

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		<p>B. (1) Any [designated examiner] may execute an emergency certificate only after an actual examination of a person alleged to be mentally ill or suffering from substance abuse who is determined to be in need of immediate care and treatment in a treatment facility because the [designated examiner] determines the person to be dangerous to self or others or to be gravely disabled.</p> <p>L.(1) A peace officer or a peace officer accompanied by an emergency medical service trained technician may take a person into protective custody... when, as a result of his personal observation, the peace officer or emergency medical service technician has reasonable grounds to believe the person is a proper subject for involuntary admission to a treatment facility because the person is acting in a manner dangerous to himself or dangerous to others, is gravely disabled, and is in need of immediate hospitalization to protect such a person or others from physical harm.</p>
ME	ME. REV. STAT. ANN. tit. 34B § 3862 § 3863 § 10-622(a)	<p>Protective custody.</p> <p>A. 1. If a law enforcement officer has probable cause to believe that a person may be mentally ill and that due to that condition the person presents a threat of imminent and substantial physical harm to that person or to other persons, or if a law enforcement officer knows that a person has an advance health care directive authorizing mental health treatment and the officer has probable cause to believe that the person lacks capacity, the law enforcement officer...[m]ay take the person into protective custody</p> <p>Emergency procedure;</p> <p>1. Any health officer, law enforcement officer or other person may apply to admit a person to a psychiatric hospital, subject to the prohibitions and penalties of section 3805, stating:</p> <p>A. The applicant's belief that the person is mentally ill and, because of the person's illness, poses a likelihood of serious harm; and B. The grounds for this belief.</p>
MD	MD. CODE ANN., HEALTH-GEN. § 10-622(a)	<p>A petition for emergency evaluation of an individual may be made under this section only if the petitioner has reason to believe that the individual:</p> <p>(i) Has a mental disorder; and (ii) The individual presents a danger to the life or safety of the individual or of others</p>
MA	MASS. GEN. LAWS ANN. ch. 123, § 12	<p>Commitment by Physicians or Police Officers for Limited Period; Notices; Extension of Term of Commitment.</p> <p>(a) [Emergency evaluation of a person permitted upon specified professional's] reason to believe that failure to hospitalize such person would create a likelihood of serious harm by reason of mental illness[.]</p>

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MI	MICH. COMP. LAWS § 330.1427(1) § 330.1438	<p>If a peace officer observes an individual conducting himself or herself in a manner that causes the peace officer to reasonably believe that the individual is a person requiring treatment ..., the peace officer may take the individual into protective custody and transport the individual ... for examination ... or for mental health intervention services.</p> <p>MICH. COMP. LAWS § 330.1438. If it appears to the court that the individual requires immediate involuntary mental health treatment in order to prevent physical harm to himself or herself, or others, the court may order the individual hospitalized and may order a peace officer to take the individual into protective custody and transport the individual to a preadmission screening unit designated by the community mental health services program.</p>
MN	MINN. STAT. § 253B.05(1)(a) § 253B.05(2)	<p>Any person may be admitted or held for emergency care and treatment in a treatment facility ... with the consent of the head of the treatment facility upon a written statement by an examiner that:</p> <ul style="list-style-type: none"> (1) the examiner has examined the person not more than 15 days prior to admission, (2) the examiner is of the opinion, for stated reasons, that the person is mentally ill, developmentally disabled, or chemically dependent, and is in danger of causing injury to self or others if not immediately detained, and (3) an order of the court cannot be obtained in time to prevent the anticipated injury. <p>A peace or health officer may take a person into custody and transport the person to a licensed physician or treatment facility if the officer has reason to believe, either through direct observation of the person's behavior, or upon reliable information of the person's recent behavior and knowledge of the person's past behavior or psychiatric treatment, that the person is mentally ill or developmentally disabled and in danger of injuring self or others if not immediately detained.</p>
MS	MISS. CODE ANN. § 41-21-67(5)	<p>Whenever a [designated professional] has reason to believe that a person poses an immediate substantial likelihood of physical harm to himself or others or is gravely disabled and unable to care for himself by virtue of mental illness, then the [designated professional] may hold the person or may admit the person to and treat the person in a licensed medical facility, without a civil order or warrant for a period not to exceed seventy-two (72) hours.</p>
MO	MO. ANN. STAT. § 632.305(2) § 632.305(3)	<p>If the court finds that there is probable cause to believe that the respondent may be suffering from a mental disorder and presents a likelihood of serious harm to himself or others, it shall direct a peace officer to take the respondent into custody and transport him to a mental health facility for detention for evaluation and treatment for a period not to exceed ninety-six hours.</p> <p>A mental health coordinator ... or a peace officer may [initiate emergency evaluation] only when such mental health coordinator or peace officer has reasonable cause to believe that such person is suffering from a mental disorder and that the likelihood of serious harm by such person to himself or others is imminent unless such person is immediately taken into custody.</p>

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MT	MONT. CODE ANN. § 53-21-129(2)	If the professional person agrees that the person detained is a danger to the person or to others because of a mental disorder and that an emergency situation exists, then the person may be detained and treated until the next regular business day.
NE	NEB. REV. STAT. § 71-919(1)	A law enforcement officer who has probable cause to believe that a person is mentally ill and dangerous ... and that the harm is likely to occur before mental health board proceedings may be initiated to obtain custody of the person may take such person into emergency protective custody, cause him or her to be taken into emergency protective custody, or continue his or her custody if he or she is already in custody.
NV	NEV. REV. STAT. § 433A.160 § 433A.170	<p>[A designated person] may: (a) Without a warrant: (1) Take a person alleged to be a person with mental illness into custody to apply for the emergency admission of the person for evaluation, observation and treatment ... only if [the designated person] has, based upon his or her personal observation of the person alleged to be a person with mental illness, probable cause to believe that the person has a mental illness and, because of that illness, is likely to harm himself or herself or others if allowed his or her liberty.</p> <p>An application for an emergency admission [must be] accompanied by a certificate of a psychiatrist or a licensed psychologist stating that he or she has examined the person alleged to be a person with mental illness and that he or she has concluded that the person has a mental illness and, because of that illness, is likely to harm himself or herself or others if allowed his or her liberty. If a psychiatrist or licensed psychologist is not available to conduct an examination, a physician may conduct the examination.</p>
NH	N.H. REV. STAT. ANN. § 135-C:27 § 135-C:28	<p>A person shall be eligible for involuntary emergency admission if he is in such mental condition as a result of mental illness to pose a likelihood of danger to himself or others.</p> <p>[I]f the person sought to be admitted refuses to consent to a mental examination, a petitioner or a law enforcement officer may sign a complaint which shall be sworn to before a justice of the peace... The petition shall state in detail the acts or actions of the person sought to be admitted which the petitioner has personally observed or which have been personally reported to the petitioner and in his or her opinion require a compulsory mental examination. If the justice of the peace finds that a compulsory mental examination is necessary, the justice may order the examination[.]</p> <p>When a peace officer observes a person engaging in behavior which gives the peace officer reasonable suspicion to believe that the person may be suffering from a mental illness and probable cause to believe that unless the person is placed in protective custody the person poses an immediate danger of bodily injury to himself or others, the police officer may place the person in protective custody[.]</p>
NJ	N.J. STAT. ANN. § 30:4-27.6	A State or local law enforcement officer shall take custody of a person and take the person immediately and directly to a screening service if:

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		<p>a. On the basis of personal observation, the law enforcement officer has reasonable cause to believe that the person is in need of involuntary commitment to treatment;</p> <p>b. A mental health screener has certified on a form prescribed by the division that based on a screening outreach visit the person is in need of involuntary commitment to treatment and has requested the person be taken to the screening service for a complete assessment;</p> <p>c. The court orders that a person subject to an order of conditional discharge ... who has failed to follow the conditions of the discharge be taken to a screening service for an assessment; or</p> <p>d. An outpatient treatment provider has certified on a form prescribed by the division that the provider has reasonable cause to believe the person is in need of evaluation for commitment to treatment.</p>
NM	N.M. STAT. ANN. § 43-1-10(A) § 43-1-10(C)	<p>A peace officer may detain and transport a person for emergency mental health evaluation and care in the absence of a legally valid order from the court only if:</p> <p>(1) the person is otherwise subject to lawful arrest;</p> <p>(2) the peace officer has reasonable grounds to believe the person has just attempted suicide;</p> <p>(3) the peace officer, based upon his own observation and investigation, has reasonable grounds to believe that the person, as a result of a mental disorder, presents a likelihood of serious harm to himself or others and that immediate detention is necessary to prevent such harm; or</p> <p>(4) a licensed physician or a certified psychologist has certified that the person, as a result of a mental disorder, presents a likelihood of serious harm to himself or others and that immediate detention is necessary to prevent such harm.</p> <p>An evaluation facility may accept for an emergency based admission any person when a licensed physician or certified psychologist certifies that such person, as a result of a mental disorder, presents a likelihood of serious harm to himself or others and that immediate detention is necessary to prevent such harm.</p>
NY	N.Y. MENTAL HYG. LAW § 9.39(a)	<p>[A]ny person alleged to have a mental illness for which immediate observation, care, and treatment in a hospital is appropriate and which is likely to result in serious harm to himself or others. "Likelihood to result in serious harm" as used in this article shall mean:</p> <ol style="list-style-type: none"> 1. substantial risk of physical harm to himself as manifested by threats of or attempts at suicide or serious bodily harm or other conduct demonstrating that he is dangerous to himself, or 2. a substantial risk of physical harm to other persons as manifested by homicidal or other violent behavior by which others are placed in reasonable fear of serious physical harm.

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NC	N.C. GEN. STAT. § 122C-262(a)	Anyone, including a law enforcement officer, who has knowledge of an individual who is subject to inpatient commitment ... and who requires immediate hospitalization to prevent harm to self or others, may transport the individual directly to an area facility or other place, including a State facility for the mentally ill, for examination by a physician or eligible psychologist.
ND	N.D. CENT. CODE § 25-03.1-25.1 § 25-03.1-25.2	A [designated person who] has reasonable cause to believe that an individual is a person requiring treatment and there exists a serious risk of harm to that person, other persons, or property of an immediate nature that considerations of safety do not allow preliminary intervention by a magistrate. The magistrate, upon reviewing the petition and accompanying documentation, finds probable cause to believe that the respondent is a person requiring treatment and there exists a serious risk of harm to the respondent, other persons, or property if allowed to remain at liberty.
OH	OHIO REV. CODE ANN. § 5122.10	Any [designated person] may take a person into custody.....[if they have] reason to believe that the person is a mentally ill person subject to hospitalization by court order and represents a substantial risk of physical harm to self or others if allowed to remain at liberty pending examination.
OK	43A OKL. ST. § 5-207	A. Any person who appears to be or states that such person is mentally ill, alcohol-dependent, or drug-dependent to a degree that immediate emergency action is necessary may be taken into protective custody and detained as provided pursuant to the provisions of this section. B. Any peace officer who reasonably believes that a person is a person requiring treatment as defined in Section 1-103 of this title shall take the person into protective custody.
OR	OR. REV. STAT. § 426.228(1)	A peace officer may take into custody a person who the officer has probable cause to believe is dangerous to self or to any other person and is in need of immediate care, custody or treatment for mental illness.
PA	50 PA. CONS. STAT. ANN. § 7301	(a) Whenever a person is severely mentally disabled and in need of immediate treatment, he may be made subject to involuntary emergency examination and treatment. A person is severely mentally disabled when, as a result of mental illness, his capacity to exercise self-control, judgment and discretion in the conduct of his affairs and social relations or to care for his own personal needs is so lessened that he poses a clear and present danger of harm to others or to himself.
RI	R.I. GEN. LAWS § 40.1-5-7(a) (1)	Any physician, who after examining a person, has reason to believe that the person is in need of immediate care and treatment, and is one whose continued unsupervised presence in the community would create an imminent likelihood of serious harm by reason of mental disability, may apply at a facility for the emergency certification of the person thereto ... If an examination is not possible because of the emergency nature of the case and because of the refusal of the person to consent to the examination, the applicant on the basis of his or her observation may determine, in accordance with the above, that emergency certification is necessary and may apply therefor. In the event that no physician is available, a

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		qualified mental health professional or police officer who believes the person to be in need of immediate care and treatment, and one whose continued unsupervised presence in the community would create an imminent likelihood of serious harm by reason of mental disability, may make the application for emergency certification to a facility...
SC	S.C. Code Ann. § 44-17-430 § 44-17-410	<p>If a person believed to be mentally ill and because of this condition likely to cause serious harm if not immediately hospitalized cannot be examined by at least one licensed physician pursuant to Section 44-17-410 because the person's whereabouts are unknown or for any other reason, the petitioner seeking commitment pursuant to Section 44-17-410 shall execute an affidavit stating a belief that the individual is mentally ill and because of this condition likely to cause serious harm if not hospitalized, the ground for this belief and that the usual procedure for examination cannot be followed and the reason why. Upon presentation of an affidavit, the judge of probate for the county in which the individual is present may issue an order requiring a state or local law enforcement officer to take the individual into custody for a period not exceeding twenty-four hours...</p> <p>A person may be admitted to a public or private hospital, mental health clinic, or mental health facility for emergency admission upon:</p> <p>(1) written affidavit under oath by a person stating: (a) a belief that the person is mentally ill and because of this condition is likely to cause serious harm to himself or others if not immediately hospitalized; (b) the specific type of serious harm thought probable if the person is not immediately hospitalized and the factual basis for this belief; (2) a certification in triplicate by at least one licensed physician stating that the physician has examined the person and is of the opinion that the person is mentally ill and because of this condition is likely to cause harm to himself through neglect, inability to care for himself, or personal injury, or otherwise, or to others if not immediately hospitalized. The certification must contain the grounds for the opinion...</p>
SD	S.D. CODIFIED LAWS § 27A-10-1	If any person is alleged to be severely mentally ill and in such condition that immediate intervention is necessary for the protection from physical harm to self or others, any person, eighteen years of age or older, may complete a petition stating the factual basis for concluding that such person is severely mentally ill and in immediate need of intervention.
TN	TENN. CODE ANN. § 33-6-401 § 33-6-403	<p>Emergency detention.</p> <p>IF AND ONLY IF</p> <p>(1) a person has a mental illness or serious emotional disturbance, AND</p> <p>(2) the person poses an immediate substantial likelihood of serious harm under § 33-6-501 because of the mental illness or serious emotional disturbance,</p> <p>THEN</p> <p>(3) the person may be detained ... to obtain examination for certification of need for care and treatment.</p> <p>Admission to treatment facility.</p>

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		<p>IF AND ONLY IF</p> <p>(1) a person has a mental illness or serious emotional disturbance, AND</p> <p>(2) the person poses an immediate substantial likelihood of serious harm, under <u>§ 33-6-501</u>, because of the mental illness or serious emotional disturbance, AND</p> <p>(3) the person needs care, training, or treatment because of the mental illness or serious emotional disturbance, AND</p> <p>(4) all available less drastic alternatives to placement in a hospital or treatment resource are unsuitable to meet the needs of the person,</p> <p>THEN</p> <p>(5) the person may be admitted and detained by a hospital or treatment resource for emergency diagnosis, evaluation, and treatment under this part.</p>
TX	TEX. HEALTH & SAFETY CODE § 573.001(a) § 573.011	<p>A peace officer, without a warrant, may take a person into custody if the officer:</p> <p style="padding-left: 40px;">(1) has reason to believe and does believe that:</p> <p style="padding-left: 80px;">(A) the person is mentally ill; and</p> <p style="padding-left: 80px;">(B) because of that mental illness there is a substantial risk of serious harm to the person or to others unless the person is immediately restrained</p> <p>[A] written application for the emergency detention of another person ...must state:</p> <p style="padding-left: 40px;">(1) that the applicant has reason to believe and does believe that the person evidences mental illness;</p> <p style="padding-left: 40px;">(2) that the applicant has reason to believe and does believe that the person evidences a substantial risk of serious harm to himself or others;</p> <p style="padding-left: 40px;">(3) a specific description of the risk of harm;</p> <p style="padding-left: 40px;">(4) that the applicant has reason to believe and does believe that the risk of harm is imminent unless the person is immediately restrained;</p> <p style="padding-left: 40px;">(5) that the applicant's beliefs are derived from specific recent behavior, overt acts, attempts, or threats</p> <p style="padding-left: 40px;">(6) a detailed description of the specific behavior, acts, attempts, or threats; and</p> <p style="padding-left: 40px;">(7) a detailed description of the applicant's relationship to the person whose detention is sought.</p>

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UT	UTAH CODE ANN. § 62A-15-629(1)(a)(ii) § 62A-15-629(2)	<p>[A] licensed physician or designated examiner certifies] the individual as mentally ill and, because of his mental illness, is likely to injure himself or others if not immediately restrained.</p> <p>If a duly authorized peace officer observes a person involved in conduct that gives the officer probable cause to believe that the person is mentally ill... and because of that apparent mental illness and conduct, there is a substantial likelihood of serious harm to that person or others, pending proceedings for examination and certification under this part, the officer may take that person into protective custody.</p>
VT	VT. STAT. ANN. tit. 18 § 7504(a) § 7505(a)	<p>A person shall be admitted to a designated hospital for an emergency examination to determine if he or she is a 'person in need of treatment' upon written application ... accompanied by a certificate by a licensed physician who is not the applicant.</p> <p>In emergency circumstances where a certification by a physician is not available without serious and unreasonable delay, and when personal observation of the conduct of a person constitutes reasonable grounds to believe that the person is a person in need of treatment, and he presents an immediate risk of serious injury to himself or others if not restrained, a law enforcement officer or mental health professional may make an application, not accompanied by a physician's certificate, to any district or superior judge for a warrant for an immediate examination.</p>
VA	VA CODE ANN. § 37.2-808(A) § 37.2-809(B)	<p>Conducted in Virginia in two stages</p> <p>For "emergency custody" (removal of person to hospital): [A] magistrate shall issue ... an emergency custody order when he has probable cause to believe that any person (i) has a mental illness and that there exists a substantial likelihood that, as a result of mental illness, the person will, in the near future, (a) cause serious physical harm to himself or others as evidenced by recent behavior causing, attempting, or threatening harm and other relevant information, if any, or (b) suffer serious harm due to his lack of capacity to protect himself from harm or to provide for his basic human needs, (ii) is in need of hospitalization or treatment, and (iii) is unwilling to volunteer or incapable of volunteering for hospitalization or treatment.</p> <p>For "temporary detention" (retaining person up to 48 hours for evaluation): A magistrate shall issue ... a temporary detention order if it appears from all evidence readily available, including any recommendation from a physician or clinical psychologist treating the person, that the person (i) has a mental illness and that there exists a substantial likelihood that, as a result of mental illness, the person will, in the near future, (a) cause serious physical harm to himself or others as evidenced by recent behavior causing, attempting, or threatening harm and other relevant information, if any, or (b) suffer serious harm due to his lack of capacity to protect himself from harm or to provide for his basic human needs, (ii) is in need of hospitalization or treatment, and (iii) is unwilling to volunteer or incapable of volunteering for hospitalization or treatment. The magistrate shall also consider the recommendations of any treating or examining physician licensed in Virginia if available either verbally or in writing prior to rendering a decision. Any temporary detention order entered pursuant to this section shall provide for the disclosure of medical records[.]</p> <p>(C) When considering whether there is probable cause to issue a temporary detention order, the magistrate may, in addition to the petition, consider (i) the recommendations of any treating or examining physician or psychologist licensed in Virginia, if available, (ii) any past actions of the person, (iii) any past mental health treatment of the person, (iv) any</p>

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		relevant hearsay evidence, (v) any medical records available, (vi) any affidavits submitted, if the witness is unavailable and it so states in the affidavit, and (vii) any other information available that the magistrate considers relevant to the determination of whether probable cause exists to issue a temporary detention order.
WA	REV. CODE WASH. § 71.05.153	[A] person [who], as the result of a mental disorder, presents an imminent likelihood of serious harm, or is in imminent danger because of being gravely disabled, may ... be taken into emergency custody and immediately delivered to [an] evaluation and treatment facility.
WV	W. VA. CODE §27-5-2.(a)	Any adult person may make an application for involuntary hospitalization for examination of an individual when the person making the application has reason to believe that the individual to be examined is addicted ... or is mentally ill and, because of his or her addiction or mental illness, the individual is likely to cause serious harm to himself, herself or to others if allowed to remain at liberty while awaiting an examination and certification by a physician or psychologist.
WI	WIS. STAT. ANN. § 51.15(1)(a)	<p>A law enforcement officer ... may detain an individual if the officer has cause to believe that the individual is mentally ill and the individual evidences any of the following:</p> <ol style="list-style-type: none"> 1. A substantial probability of physical harm to himself or herself as manifested by evidence of recent threats of or attempts at suicide or serious bodily harm. 2. A substantial probability of physical harm to other persons as manifested by evidence of recent homicidal or other violent behavior on his or her part, or by evidence that others are placed in reasonable fear of violent behavior and serious physical harm to them, as evidenced by a recent overt act, attempt or threat to do serious physical harm on his or her part. 3. A substantial probability of physical impairment or injury to himself or herself due to impaired judgment 4. [H]e or she is unable to satisfy basic needs for nourishment, medical care, shelter, or safety without prompt and adequate treatment so that a substantial probability exists that death, serious physical injury, serious physical debilitation, or serious physical disease will imminently ensue unless the individual receives prompt and adequate treatment for this mental illness or drug dependency.
WY	WYO. STAT. ANN. § 25-10-109(a)	When a [designated person] has reasonable cause to believe a person is mentally ill pursuant to W.S. 25-10-101 [dangerous to self or others], the person may be detained.