CHAPTER 27

Patients at Federal Institutions

**SECTION 44‑27‑10.** Powers of federal institution over patient.

When the individual is admitted to any institution operated by any agency of the United States within or without this State, he shall be subject to the rules and regulations of the agency. The superintendent of any institution operated by the agency and in which the individual is confined shall, with respect to the individual, be vested with the same powers as the superintendents of institutions or the Department of Mental Health within this State with respect to detention, custody, transfer, conditional discharge or discharge of patients.

HISTORY: 1962 Code Section 32‑1003; 1952 (47) 2042; 1961 (52) 411.

CROSS REFERENCES

Certificates, applications, records and reports made for purposes of this chapter to remain confidential, with certain exceptions, see Section 44‑22‑100.

Library References

Prisons 194.

Westlaw Topic No. 310.

C.J.S. Prisons and Rights of Prisoners Sections 76, 78 to 88, 136.

**SECTION 44‑27‑20.** Jurisdiction and powers over person ordered admitted by foreign court.

An order of a court of competent jurisdiction of another state or of the District of Columbia authorizing admittance of an individual by any agency of the United States shall have the same force and effect as to the individual while in this State as in the jurisdiction in which is situated the court entering the order, and such court shall be deemed to have retained jurisdiction of the individual admitted for the purpose of inquiring into his mental condition and of determining the necessity for continuance of his confinement. Consent is hereby given to the application of the law of the state or district in which is located the court issuing the order for admittance with respect to the authority of the superintendent of any hospital or institution operated in this State by any agency of the United States to retain custody, transfer, conditionally discharge or discharge the individual confined.

HISTORY: 1962 Code Section 32‑1005; 1952 (47) 2042.

Library References

Prisons 194.

Westlaw Topic No. 310.

C.J.S. Prisons and Rights of Prisoners Sections 76, 78 to 88, 136.

**SECTION 44‑27‑30.** Transfer of individual to federal agency.

Upon receipt of a certificate of an agency of the United States that facilities are available for the care or treatment of any individual confined pursuant to law in any State mental health facility and that such individual is eligible for care or treatment in an institution of the agency, the Department of Mental Health may cause his transfer to the agency of the United States for confinement. Upon effecting the transfer, the court ordering confinement, the legal guardian, spouse and parents or, if none be known, his nearest known relative or friend shall be notified thereof immediately by the Department of Mental Health. No person shall be transferred to an agency of the United States if he be confined pursuant to conviction of any felony or misdemeanor or if he has been acquitted of the charge solely on the ground of mental illness unless prior to transfer the court originally ordering his confinement shall enter an order for transfer after appropriate motion and hearing. Any person transferred as provided in this section to an agency of the United States shall be deemed to be confined by the agency pursuant to the original order of confinement.

HISTORY: 1962 Code Section 32‑1006; 1952 (47) 2042.

CROSS REFERENCES

Detention, confinement and transfer of confined persons, see Sections 44‑23‑210 et seq.

Library References

Prisons 194.

Westlaw Topic No. 310.

C.J.S. Prisons and Rights of Prisoners Sections 76, 78 to 88, 136.