

LEGISLATURE OF THE STATE OF IDAHO
Sixty-second Legislature Second Regular Session - 2014

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 519

BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO HOSPITALIZATION OF MENTALLY ILL; AMENDING SECTION 66-345, IDAHO
CODE, TO PROVIDE FOR THE USE OF RESTRAINTS AGAINST THE MEDICAL ADVICE OF
A LICENSED PHYSICIAN.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 66-345, Idaho Code, be, and the same is hereby
amended to read as follows:

66-345. RESTRAINTS AND SECLUSION. Restraints shall not be applied to a
patient nor shall a patient be secluded unless it is determined that such re-
straint or seclusion is necessary for the patient's safety or for the safety
of others. Every instance of a restraint or seclusion of a patient shall
be documented in the clinical record of the patient. In addition, every
instance of a restraint or seclusion shall be evaluated and the evaluation
and reasons for such restraint or seclusion shall be made a part of the clin-
ical record of the patient under the signature of a licensed physician or,
as delegated through the bylaws of the hospital's medical or professional
staff, other practitioners licensed to practice independently. Whenever
a peace officer deems it necessary to apply restraints to a patient while
transporting the patient from one (1) facility to another and that restraint
is against the medical advice of a licensed physician, the officer shall doc-
ument the use of restraints in a report to be included in the clinical record.