

VOLUNTARY PATIENTS – SPECIAL RIGHTS

I understand that, as a voluntary patient, I have the right to request discharge from the hospital. If I want to leave, I need to say so in writing or I need to tell a staff member. If I tell a staff member I want to leave, the staff member must write it down for me.

I have the right to be discharged from the hospital within four hours of requesting discharge. **There are only three reasons why I would not be allowed to leave the hospital, as follows:**

1. **If I change my mind** and want to stay at the hospital, I can sign a paper that says I do not wish to leave or I can tell a staff member that I do not want to leave, and the staff member must write it down for me.
2. **If I am under 16 years old** and the person who admitted me (my parents, guardian, or conservator) does not want me to leave, I may not be able to leave. If I request release, staff must explain to me whether or not I can sign myself out and why. The hospital must notify the person who does have the authority to sign me out and tell that person that I want to leave. The person must talk to my doctor, and my doctor must document the date, time, and outcome of the conversation in my medical record.
3. **I may be detained longer than four hours if my doctor has reason to believe that I might meet the criteria for court-ordered services or emergency detention because:**
 - a. I am likely to cause serious harm to myself
 - b. I am likely to cause serious harm to others, or
 - c. My condition will continue to deteriorate and I am unable to make an informed decision as to whether or not to stay for treatment.

If my doctor thinks I may meet the criteria for court-ordered services or emergency detention, he or she must examine me in person within 24 hours of my filing the discharge request. I must be allowed to leave the hospital upon completion of the in-person examination unless my doctor confirms that I meet the criteria for court-ordered services. The application asks a judge to issue a court order requiring me to stay at the facility for services. The order will only be issued if the judge decides that either:

- I am likely to cause serious harm to myself

- I am likely to cause serious harm to others, or
- My condition will continue to deteriorate and I am unable to make an informed decision as to whether or not to stay for treatment.

If my doctor decides to file an application for court-ordered emergency detention, it must be filed with the court by 4:00 p.m. on the first business day following the in-person examination. If not, I cannot be detained in the hospital. Once the application is filed, the court issues an order of protective custody. Following this order being issued, I have a right to be assigned an attorney and to receive a probable-cause hearing within three business days of the order of protective custody.

I have the right not to have an application for court-ordered services filed while I am receiving voluntary services at the hospital unless my physician determines that I meet the criteria for court-ordered services as outlined in 573.033 of the Texas Health and Safety Code and:

- I request discharge
- I am absent without authorization
- My doctor believes I am unable to consent to appropriate and necessary treatment, or
- I refuse to consent to necessary and appropriate treatment recommended by my doctor, and my doctor states in the certificate of medical examination that:
 1. there is no reasonable alternative treatment, and
 2. I will not benefit from continued inpatient care without the recommended treatment.

My doctor must note in my medical record and tell me about any plans to file an application for court-ordered treatment or for detaining me for other clinical reasons. If the doctor finds that I am ready to be discharged, I should be discharged without further delay.

Signature of Patient

Patient Name (printed)

Date

Signature of staff Member

Staff Name (printed)

Date