# New Jersey Law Extends Time Period Hospitals May Hold Certain Involuntarily Committed Patients




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On August 16, 2023, Governor Murphy signed into law Senate Bill 3929, which allows a general hospital and a satellite emergency department of a general hospital (each, a Facility) to detain an involuntarily committed patient for a period up to 144 hours (i.e., 6 days) under certain conditions. Previously, a Facility could detain such a patient for up to 72 hours (i.e., 3 days). Under the new law, the Facility may only detain such a person for more than 72 hours if the Facility obtains a temporary order permitting the continued detention of the person for up to 72 additional hours, as determined by a court. The office of the Public Defender is notified when a Facility submits such an emergency application and is appointed as counsel to represent the patient. A court may grant a temporary order if the Facility:

1. Exhausts all reasonable efforts to place the individual in a short-term care or psychiatric facility, or special psychiatric hospital, depending on which facility is appropriate for the person's condition and is the least restrictive environment; and

2. Demonstrates there is a substantial likelihood that, by reason of a mental health condition, the person will be dangerous to the person's own self or others based upon the certification of two psychiatrists who have examined the patient and deemed the patient is in need of involuntary commitment.

Many advocacy groups, such as the ACLU of New Jersey, signed a letter encouraging Governor Murphy to veto the new law because they believe it presents significant public health, human rights, and racial justice concerns. In a statement made by Governor Murphy upon signing the bill into law, Governor Murphy stated "The bill ensures a continuity of care for those in need of involuntary commitment while simultaneously pursing long-term policy efforts that may improve system capacity."

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