

Presented by: Assembly Human  
Resources Committee  
Introduced: 03/05/90  
Drafted by: B.J.B.

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 1427

A RESOLUTION URGING THE ALASKA LEGISLATURE TO ADOPT SENATE BILL NO. 189 RELATING TO THE EXAMINATION OF INTOXICATED OR INCAPACITATED PERSONS IN PROTECTIVE CUSTODY.

WHEREAS, under existing law, incapacitated or intoxicated persons taken into protective custody and taken to a public treatment facility must be examined by a licensed physician, and

WHEREAS, in cases where it is deemed appropriate to seek a longer period of involuntary custody for treatment purposes, a licensed physician must personally conduct the physical examination of the person as part of the commitment process, and

WHEREAS, the Alaska Medical Association and the State Office of Alcohol and Drug Abuse view these requirements as unnecessarily restrictive given that many communities in Alaska do not have a licensed physician readily available 24 hours a day, and

WHEREAS, the level of screening necessary to protect the health and safety of the individual or to determine the need for involuntary treatment can be accomplished by other qualified medical personnel, such as physician's assistants and registered nurses, working under the general supervision of a physician, and

WHEREAS, the licensed physician requirement drives up the cost of alcohol programs and makes compliance with the law difficult for many programs, and

WHEREAS, noncompliance with the law raises potential liability exposure for alcohol programs, and

WHEREAS, Senate Bill No. 189 addresses these problems by allowing the required medical examination of persons in protective custody to be conducted by qualified health practitioners in addition to licensed physicians, and

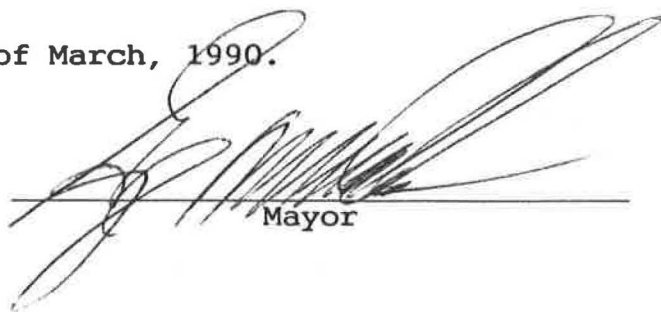
WHEREAS, the adoption of this bill would serve the public interest by reducing the costs and potential liability associated with protective custody actions while at the same time still providing the individual taken into custody with an adequate medical examination;

NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

1. That the Assembly urges the Alaska Legislature to adopt Senate Bill No. 189 relating to the medical examination of intoxicated or incapacitated persons taken into protective custody.

2. Effective Date. This resolution shall be effective immediately upon adoption.

Adopted this 5th day of March, 1990.



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Mayor

Attest:

*Patty Ann Polley*  
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Clerk