

IN RE: \_\_\_\_\_ ( Patient)

Date of Birth \_\_\_\_\_ Medical Record #: \_\_\_\_\_

**Sworn Petition For Consent To Involuntary Administration Of Anti-psychotic Medication Or Electroconvulsive Therapy**

Pursuant to Va. Code § [37.2-1101](#) and Va. Code § [37.2-1102](#), the undersigned Petitioner alleges:

1. Petitioner is a health care licensee of the Commonwealth of Virginia authorized to file this petition.

2. Patient is an adult located within the jurisdiction of this Court in one of the following hospitals or licensed health care facilities if the Patient is not within the jurisdiction of the Court otherwise: Memorial Regional Medical Center.

3. Patient is subject to an order of involuntary admission previously entered or simultaneously sought and issued prior to the consideration of this petition previously or simultaneously issued under §§ [37.2-814](#) through [37.2-819](#) or Chapter 9 (§ [37.2-900](#) et seq.), or the provisions of Chapter 11 (§ [19.2-167](#) et seq.) or Chapter 11.1 (§ [19.2-182.2](#) et seq.) of Title 19.2.

4. There is no available person with legal authority under Article 8 (§ [54.1-2981](#) et seq.) of [Chapter 29 of Title 54.1](#), under the regulations promulgated pursuant to § [37.2400](#), including but not limited to [12 VAC 35-115-146](#), or under other applicable law to authorize the proposed treatment.

5. Patient is incapable of making an informed decision to accept or reject such treatment, or is physically or mentally incapable of communicating such decision.

6. Patient is unlikely to become capable of making an informed decision, or of communicating an informed decision within the time required for decision.

7. The proposed treatment is in the best interest of Patient, and is medically and ethically appropriate with respect to (i) the medical diagnosis and prognosis and (ii) any other information provided by the attending physician of the person for whom treatment is sought. In the case of electroconvulsive therapy, all other reasonable forms of treatment have been considered, and electroconvulsive therapy is the most effective treatment for Patient.

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The proposed TREATMENT PLAN is:

A. [ ] that the psychiatric medication designated in the attached Exhibit be administered to the Patient commencing as soon as possible after entry of the Order herein for a period not in excess of \_\_\_\_\_ days [LIMIT: 30 DAYS EXCEPT UPON RECOMMITMENT ORDER, IN WHICH CASE 180 DAYS].

B. [ ] that electroconvulsive therapy be administered a total of \_\_\_\_\_ treatment(s) Psychiatric Medicine / Electroconvulsive Therapy Petition See Attached Exhibit over the course of \_\_\_\_\_ consecutive days, commencing as soon as possible after entry of the Order herein [LIMIT: 60 DAYS].

**Petitioner acknowledges that Petitioner must review and document the appropriateness of the continued admission of anti-psychotic medications not less than every thirty days, and Petitioner must report to the Court and to Patient's counsel any change in the person's condition resulting in probable restoration or development of the Patient's capacity to make and to communicate an informed decision prior to the completion of the treatment requested above.**

**I DECLARE UNDER PENALTY OF PERJURY THAT THE FACTS ALLEGED IN THE FOREGOING PLEADING ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.**

**I delivered a copy of this Petition to the Patient on the date I signed this Petition. I informed the Patient and any known family member, agent, authorized representative, or guardian objecting to the treatment of this Petition.**

\_\_\_\_\_ (Signature)

Printed Name: \_\_\_\_\_

Date Executed: \_\_\_\_\_

Mobile Telephone Number: \_\_\_\_\_ Fax: \_\_\_\_\_

Virginia : General District Court of the County of Hanover

IN RE: \_\_\_\_\_ ( Patient)

Date of Birth \_\_\_\_\_ Medical Record #: \_\_\_\_\_

**Order Authorizing Anti-Psychotic Medication Or Electroconvulsive Therapy**

Upon the sworn petition of \_\_\_\_\_, the Patient's treating physician or a Nurse Practitioner under the auspices of such physician, requesting authorization for administration of anti-psychotic medication or electroconvulsive therapy for the Patient pursuant to Va. Code § 37.2-1101 and Va. Code § 37.2-1102, the Court appointed the undersigned attorney at law to represent the interests of Patient in this proceeding, and such attorney attended the hearing and represented the Patient.

The Court finds on the basis of clear and convincing evidence, including evidence presented by or upon the representation of a licensed psychiatrist, that [1], Patient is an adult located within its jurisdiction and subject to an order of involuntary commitment; [2], there is no legally authorized representative reasonably available to consent to the proposed medical treatment; [3], Patient is incapable of making an informed decision to accept or reject such treatment, or is physically or mentally incapable of communicating such decision; [4]; that the Patient is unlikely to become capable of making or communicating such decision within the time required for decision; and [5], that the proposed treatment is in the best interest of the Patient, the Court specifically finding in the case of electroconvulsive therapy that Patient all other reasonable forms of treatment have been considered, and that such therapy is the most effective treatment.

It is ORDERED that the specific course of treatment in the Petition is authorized, provided that such treatment may not be administered over the Patient's objection except while the Patient remains subject to involuntary psychiatric hospitalization; in no event may psychiatric medication be administered under this order in excess of thirty days from the date of involuntary commitment, except in the case of a recommitment, in which case such administration may be for a term of not more than one hundred eighty days from such recommitment. Electroconvulsive therapy may not be administered under this order for a period in excess of thirty days except in the case of recommitment, in which case the same shall not exceed sixty days from such recommitment order.

The treating physician is ORDERED to review and document the appropriateness of the continued admission of anti-psychotic medications not less than every thirty days; the physician and necessary assistants and agents of the physician are authorized to provide the proposed treatment described above, together with all related treatment, examinations tests and services determined to be medically necessary and incident to the proposed treatment authorized by this order, or which may become necessary in the case of emergency; and the treating physician is ORDERED to report to the Court and to counsel for Patient any change in the condition of the Patient resulting in probable restoration or development of the capacity of Patient to make and to communicate an informed decision prior to the completion of the treatment and related services authorized above.

Date: \_\_\_\_\_, Special Justice

Seen [ ( ) and objected to:] \_\_\_\_\_, Counsel