

Using This Revisable PDF Form

1. Copies
 - a. Original – to court.
 - b. Second copy – to respondent (patient), if possible.
 - c. To licensed physician conducting evaluation, if possible.
2. Prepared by physician or magistrate, if request made by oral petition.
3. Attachments – none.
4. Preparation details –

If the petition is taken by phone, the magistrate must read the transcription of the petition back to the physician and indicate a date and time that the physician agreed to the transcription and insert his or her signature. The magistrate should print the physician's name in the signature blank for the physician.

MEDICAL EMERGENCY CUSTODY PETITION

Commonwealth of Virginia VA. CODE § 37.2-1103

Case No. **1**

General District Court
 Circuit Court

2
CITY OR COUNTY

3
NAME OF RESPONDENT ADDRESS OF RESPONDENT

I, **4** , a licensed physician, state that:
NAME OF PHYSICIAN

I have communicated with the emergency medical services personnel on the scene and attempted to communicate with the respondent to obtain information and medical data concerning the cause of the respondent's incapacity.

I attempted to obtain consent of the respondent for treatment of the following mental or physical disorder

5
and have failed to obtain such consent.

The respondent is within the judge's or magistrate's jurisdiction at

6
NAME AND ADDRESS OF LOCATION OF RESPONDENT

In my opinion, the respondent is incapable of making an informed decision on treatment of the above-described mental or physical disorder, has refused transport to obtain treatment, has indicated an intention to resist transport, and is unlikely to become capable of making an informed decision on obtaining necessary treatment within the time required for such decision because of:

7 the following physical injury or illness:

8 an undiagnosed physical injury or illness whose symptoms are:

I understand that a person with dysphasia or other communication disorder who is mentally competent and able to communicate shall not be considered incapable of giving informed consent by law and the respondent is not such a person to the best of my knowledge.

The medical standard of care indicates that the following testing, observation or treatment of the above-described disorder should be provided to prevent imminent and irreversible harm:

9
.....
.....

(Check and complete if applicable)

10 The respondent does not desire testing, observation or treatment because of the following religious beliefs or basic values:

.....

11
DATE AND TIME

12
PHYSICIAN'S SIGNATURE

13 Oral petition by above-named physician, who agreed with this transcription when it was read back to him.

14
DATE AND TIME

15
SIGNATURE OF MAGISTRATE

Data Elements

1. Insert court case number.
2. Insert court name. Check appropriate box.
3. Insert name and permanent address of patient/respondent.
4. Insert name of licensed physician who is initiating the petition for emergency custody.
5. Describe the injury or illness.
6. Insert current location of patient.
7. Check this box and indicate a known physical or mental condition that is making the respondent unable or unwilling to consent to treatment.
8. Check this box and insert the symptoms of an unknown physical or mental condition that is making the respondent unable or unwilling to consent to treatment.
9. Insert a description of the testing, observation or treatment needed to prevent imminent and irreversible harm.
10. Check box and indicate the religious practices of the respondent that are the basis for his or her desire not to receive treatment.
11. Insert date and time when the petition is signed or requested.
12. Signature or printed name of the physician requesting Medical Emergency Custody Order. See Preparation Details under Using This Form.
13. Check this box if the physician agrees with the contents of this petition when the magistrate read the transcription back to him or her, if applicable.
14. Insert date and time when the magistrate read the transcription of the petition and it was agreed to by the physician, if applicable.
15. Signature of magistrate taking the oral petition, if applicable.