

441.047 Psychiatric and similar services for criminal defendants.

- (1) Whenever a prisoner confined in the county jail is in need of psychiatric or similar evaluation, treatment, or services, it shall be the responsibility of the Commonwealth to provide such evaluation, treatment, or services at the expense of the Commonwealth at the nearest state-operated or state-supported facility suitable for the provision of the required evaluation, treatment, or services at no cost to the county.
- (2) Whenever a criminal defendant is in need of psychiatric, sociological, or similar evaluation in connection with the criminal proceedings in which he is a defendant it shall be the responsibility of the Commonwealth to provide the evaluation at the nearest state-operated or state-supported facility suitable for the provision of the required evaluation at no cost to the county.
- (3) In the event that no suitable state-operated or state-supported facility is located within a reasonable distance, then the evaluation may be made at a suitable local facility or at the jail. In such instances a request must first be made to the Cabinet for Health and Family Services to provide the evaluation, treatment, or service unless the situation is an emergency requiring immediate attention. If the cabinet cannot provide the service or if the situation is an emergency, then local resources may be utilized.
- (4) In the event that local resources are utilized in an emergency situation, or when the Cabinet for Health and Family Services is unable to provide the evaluation, treatment, or service, then the reasonable cost of providing such service, treatment, or evaluation shall be paid from the State Treasury in the same manner as other medical expenses of indigent prisoners confined in the county jail.
- (5) The Cabinet for Health and Family Services shall administer the provisions of this section and shall issue such administrative regulations as necessary to carry out the provisions of this section.

Effective: June 20, 2005

History: Amended 2005 Ky. Acts ch. 99, sec. 651, effective June 20, 2005. -- Amended 1998 Ky. Acts ch. 426, sec. 603, effective July 15, 1998. -- Created 1986 Ky. Acts ch. 155, sec. 1, effective July 15, 1986.