

AN ACT PROVIDING FOR THE CONFINEMENT OF INSANE PERSONS IN GOVERNMENT HOSPITALS OR OTHER INSTITUTIONS FOR THE INSANE, AND FOR THE APPOINTMENT OF A BOARD OF PHYSICIANS TO INQUIRE ...

Act No. 2122, February 01, 1912

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By authority of the United States, be it enacted by the Philippine Legislature, that:

SECTION 1. The Director of Health shall have authority to inquire into the history and mental condition of all insane or alleged insane persons and require information relating to such persons; to make such regulations as may be necessary for the sanitary erection, maintenance, and repair of buildings in which the insane are quartered, and to prescribe such rules and regulations as may be necessary for the public safety and for the general welfare and proper protection of all persons under treatment for insanity, whether such persons be under the care of public or private institutions or of their guardians or other persons in their homes.

SEC. 2. The Director of Health shall have authority to admit insane persons to any Government hospital or other place for insane upon such terms as the Secretary of the Interior may have approved and the money received on account of such patients shall be covered into the Treasury as a credit to the appropriation for the Bureau of Health.

Private institutions.

SEC. 3. Should the Government hospitals or other places for the insane become so crowded that more persons cannot be accommodated therein, or when for other reason it is desirable, the Director of Health shall be empowered to make contracts, subject to the approval of the Secretary of the Interior, with private institutions or persons for the care, custody, and treatment of persons coming within the provisions of this Act.

SEC. 4. The Director of Health, in all cases where in his opinion it is so far the public welfare or the welfare of any person who in his judgment is insane, and when such person or the person having charge of the patient is opposed to his being taken to a hospital or other place for the insane, shall present, or cause to be presented, a petition to the Court of First Instance of the district wherein the person alleged to be insane is found, alleging that such person is insane, that it is for the welfare of the public or of the patient that he be taken to a suitable place for treatment, and praying the court to commit such person to a hospital or other place for the insane. The judge of the Court of First Instance shall cause not less than five days' notice to be given of the date of the hearing of the petition to such alleged insane person or to the person having care of such alleged insane person, and to such of his relatives residing in the province or the city of Manila as the judge may deem proper, and shall order the sheriff to produce the alleged insane person if able to attend on the hearing. If the judge finds, after due hearing, that the person in question is insane, and that his relatives are unable for any reason to take proper custody and care of the patient, he shall order his commitment to such hospital or other place for the insane as may be recommended by the Director of Health, and when it appears necessary or convenient he may appoint a guardian for him as provided in section five hundred and sixty of Act Numbered One hundred and ninety, entitled "An Act

providing a Code of Procedure in Civil Actions and Special Proceedings in the Philippine Islands." Provided, however, That when the court having jurisdiction is not in session, or in case of emergency, the Director of Health may confine, without detriment to the patient's legal status, any person believed by him to be insane in any Government hospital or other place; and if the confinement of such person shall involve the care of property or money belonging to or held in trust by him, the municipal president at the request of the provincial fiscal, or in the city of Manila the chief of police at the request of the city prosecuting attorney, shall take charge of such property and money pending the appointment of a guardian by the court; but the Director of Health shall institute or cause to be instituted the proceedings mentioned in this section within a reasonable time, in order that the court may determine the legal status of the patient.

It shall be the duty of the provincial fiscal, or in the city of Manila of the prosecuting attorney, to prepare the petition for the Director of Health and represent him in court when so requested by the Director of Health.

SEC. 5. The expense of sending an insane person to a hospital or other place for the insane, and of his maintenance therein, shall be paid by the guardian from the property of such insane person, if any there be, or by the person whose duty it is under title VI, book I, of the Civil Code, to care for such insane person. In all cases where the insane patient, or the person responsible for his support, is unable wholly or in part to pay the expenses of the patient's transportation to the hospital and return, or for his maintenance and care while at the hospital, the same, or such part thereof as may be due, shall be chargeable to the municipality in which the patient is a bona fide resident at the time of his commitment: Provided, That such expense may be a charge against the Bureau of Health upon the order of the Governor-General.

SEC. 6. The Director of Health may appoint a board of insanity, Board of insanity, consisting of two or more duly qualified physicians, when requested by a court of competent jurisdiction, whenever in his opinion there exists a reasonable doubt as to the mental condition of a patient confined in any hospital or other place for the insane, public or private, for the purpose of inquiring into the mental condition of such person, which board shall render a written report thereon to the court or to the Director of Health as the case may be.

SEC. 7. When in the opinion of the Director of Health any patient in any Government hospital or other place for the insane is Persons temporarily or permanently cured, or may be released without danger, he may discharge such patient, and shall notify the judge of the Court of First Instance who ordered the commitment, in case the patient is confined by order of the court.

SEC. 8. When in the opinion of the municipal president, insane persons constitute a menace to the safety of others, or are in danger of committing serious injury to themselves, or when the conduct of suspected insane patients is such as to call for immediate restraint, he shall provide for the proper custody of such person and report such facts immediately to the Director of Health.

SEC. 9. Within the meaning of this Act, insanity is a manifestation, in language or conduct, of disease or defect of the brain, or a more or less permanently diseased or disordered condition of the mentality, functional or organic, and characterized by perversion, inhibition, or disordered function of the sensory or of the intellectual faculties, or by impaired or disordered volition.

Enacted, February 1, 1912.

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