

**62A-4a-407 Protective custody.**

- (1) A physician examining or treating a child may take the child into protective custody not to exceed 72 hours, without the consent of the child's parent, guardian, or any other person responsible for the child's care or exercising temporary or permanent control over the child, when the physician has reason to believe that the child's life or safety will be in danger unless protective custody is exercised.
- (2) The person in charge of a hospital or similar medical facility may retain protective custody of a child suspected of being abused or neglected, when he reasonably believes the facts warrant that retention. This action may be taken regardless of whether additional medical treatment is required, and regardless of whether the person responsible for the child's care requests the child's return.
- (3) The division shall be immediately notified of protective custody exercised under this section. Protective custody under this section may not exceed 72 hours without an order of the district or juvenile court.
- (4) A person who takes a child into, or retains a child in, protective custody under this section shall document:
  - (a) the grounds upon which the child was taken into, or retained in, protective custody; and
  - (b) the nature of, and necessity for, any medical care or treatment provided to the child.

Amended by Chapter 75, 2006 General Session