

62A-15-701 Definitions.

As used in this part:

- (1) "Child" means a person under 18 years of age.
- (2) "Commit" and "commitment" mean the transfer of physical custody in accordance with the requirements of this part.
- (3) "Legal custody" means:
 - (a) the right to determine where and with whom the child shall live;
 - (b) the right to participate in all treatment decisions and to consent or withhold consent for treatment in which a constitutionally protected liberty or privacy interest may be affected, including antipsychotic medication, electroshock therapy, and psychosurgery; and
 - (c) the right to authorize surgery or other extraordinary medical care.
- (4) "Physical custody" means:
 - (a) placement of a child in any residential or inpatient setting;
 - (b) the right to physical custody of a child;
 - (c) the right and duty to protect the child; and
 - (d) the duty to provide, or insure that the child is provided with, adequate food, clothing, shelter, and ordinary medical care.
- (5) "Residential" means any out-of-home placement made by a local mental health authority, but does not include out-of-home respite care.
- (6) "Respite care" means temporary, periodic relief provided to parents or guardians from the daily care of children with serious emotional disorders for the limited time periods designated by the division.

Amended by Chapter 195, 2003 General Session