

## **620.170 Voluntary commitments.**

- (1) The cabinet may accept custody of a child who is voluntarily committed to the cabinet by the child's parent, guardian, or other person having legal custody. However, the cabinet shall refuse to accept any child on a voluntary commitment unless adequate facilities, funds, and resources are available to care for the child, and the secretary finds that commitment would be in the best interest of the child.
- (2) As a condition of any voluntary commitment, the cabinet may enter into an agreement with the parent, guardian, or other person having legal custody of the child consenting to the commitment to pay an agreed sum for the care and treatment of the child. The sum shall be determined by the needs of the child and by the ability of the parent, guardian, or other person having legal custody or other person exercising custodial control or to pay.
- (3) In the case of voluntary commitment, the cabinet may expend funds necessary to give the child all services available to any committed child including, but not limited to, diagnosis, treatment, foster care, day care, care and treatment in a facility, and necessary medical, psychological, and psychiatric care.
- (4) Any person who has consented to a child's voluntary commitment may request the release of the child in writing addressed to the cabinet. The cabinet shall within ten (10) days release the child, or, if in the opinion of the cabinet it would be in the best interest of the child to remain in the custody of the cabinet, a petition shall be filed in the court of the county of residence of the child as provided in KRS 620.030 to 620.050.
- (5) If, following a hearing on the matter, the court determines that the child can no longer benefit from those services offered by the cabinet or that the parent, guardian, or other person having legal custody of the child is capable of providing proper care, the child may be returned at once to the care of his parent, guardian, or other person having legal custody of the child or to another person mutually agreed upon.
- (6) Any parent, guardian, or other person having legal custody of a child who has consented to the child's voluntary commitment to the cabinet shall be entitled to participate in treatment planning for the child for the pendency of the commitment.

**Effective:** July 15, 1996

**History:** Amended 1996 Ky. Acts ch. 22, sec. 1, effective July 15, 1996. -- Amended 1988 Ky. Acts ch. 350, sec. 54, effective April 10, 1988. -- Created 1986 Ky. Acts ch. 423, sec. 78, effective July 1, 1987.