§ 251. Medical examinations. (a) After the filing of a petition under this act over which the family court appears to have jurisdiction, the court may order any person within its jurisdiction and the parent or other person legally responsible for the care of any child within its jurisdiction to be examined by a physician, psychiatrist or psychologist appointed or designated for that purpose by the court when such an examination will serve the purposes of this act, the court may remand any such person for physical or psychiatric examination to, or direct such person to appear for such examination at:

(1) the department of health of the city of New York, if the court is located in a county within the city of New York, or

(2) a hospital maintained by the county in which the court is located, if the court is in a county outside the city of New York, or

(3) a hospital maintained by the state of New York, or

(4) a qualified private institution approved for such purpose by the local social services department.

Provided, however, that, outside of the city of New York, if the court shall order a psychiatric examination of any such person, the court may direct the director of an institution in the department of mental hygiene serving the institutional district in which the court is located to cause such examination to be made. Such director shall be afforded an opportunity to be heard before the court makes any such direction. The director may designate a member of the staff of the institution or any psychiatrist in the state to make the examination. The psychiatrist shall forthwith examine such person. The examination may be made in the place where the person may be or the court may remand such person to, or otherwise direct that such person appear at, such institution or to a hospital or other place for such examination. During the time such person is at such institution for examination, the director may administer or cause to be administered to such person such psychiatric, medical or other therapeutic treatment as in the director's discretion should be administered. The chief administrator of the courts shall prescribe the form of an order for examination. Upon completion of the examination, the director shall transmit to the court the report of the psychiatrist who conducted the examination.

(b) Except for examinations conducted pursuant to section 322.1 of

this act where the family court determines that an inpatient examination is necessary, or those ordered after a fact-finding hearing has been completed under article three or seven of this act and the court determines according to the criteria in subdivision three of section 320.5 or subdivision (a) of section seven hundred thirty-nine of this act that the child should be detained pending disposition, or unless otherwise consented to by the adult to be examined or by the attorney representing the respondent, all examinations pursuant to this section shall be conducted on an outpatient basis. An order for remand after a fact-finding hearing under article three or seven of this act shall include findings on the record supporting the need for examination in a residential facility and a determination that it is the most appropriate facility. Remands for examinations shall be for a period determined by the facility, which shall not exceed thirty days, except that, upon motion by the person detained on its own motion, the court may, for good cause shown, terminate the remand at any time.

(c) Nothing in this section shall preclude the issuance of an order by the family court pursuant to section 9.43 of the mental hygiene law for emergency admission for immediate care, observation and treatment of a person before the court or pursuant to section twenty-one hundred twenty of the public health law for commitment for care and maintenance of a person before the court.