§ 31.19 Confinement, care, and treatment of the mentally disabled.

(a) No individual who is or appears to be mentally disabled shall be detained, deprived of his liberty, or otherwise confined without lawful authority, or inadequately, unskillfully, cruelly, or unsafely cared for or supervised by any person.

(b) If the commissioner has reason to believe that this section is being violated or that services for the mentally disabled are being provided in violation of this article, he shall promptly investigate the matter. If he finds, after notice to the person accused of the violation and opportunity for such person to be heard, that there has been a violation, the commissioner shall issue an order directed to the person who has committed the violation directing him to cease and desist from the violation.

(c) The commissioner may bring the following proceedings in the supreme court, in accordance with the provisions of section 31.21:

1. for an injunction where the person to whom a cease and desist order is directed has failed to comply therewith.

2. for a temporary restraining order where the commissioner has reason to believe that a violation of this section may result in injury to any person.

(d) Nothing in this section shall prevent the commissioner from taking whatever action he deems necessary for the suspension, revocation, or limitation of the operating certificate of a provider of services which has been charged with a violation of this section.