

Involuntary Mental Illness Hold Process Overview

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Outline

- Avera Inpatient Psychiatric Programs
- Behavioral Health Voluntary Admission Processes
- Brief Overview of MI Hold / Commitment Process
- Definitions
- Q & A

Disclaimer

- Statutory Processes
- Local Uniqueness's
 - Historical Differences in Process and Roles

Avera Inpatient Programs

- Avera Marshall – Marshall, MN
- Avera St. Luke's – Aberdeen, SD
- Avera McKennan – Sioux Falls, SD

Avera Marshall

- 10 Beds - Adults
- Access through Avera Marshall's Emergency Department
- Call 507-537-9318 for Referrals

Avera St. Luke's

- 10 Beds - Adults
- Access through Avera St. Luke's Emergency Department
- Can Contact the Behavioral Health Unit Directly @ 605-622-5552
 - Recommended for clinical appropriateness determination

Avera McKennan

- 124 Beds
 - 40 Child / Adolescent (separate units)
 - 14 Senior
 - 70 Adult (three units)
- Access through Assessment Program:
 - 800-691-4336
 - 605-322-4065

Role of BHS Assessment Program

- Intake for Inpatient Services
- Counselors/Social Workers /Nurses
- Link to On-Call Psychiatrists for Direction on Referral / Admission Orders
- Encourage Physician to Physician discussion via Assessment Program

South Dakota Statutes

- SDCL 27A
- <http://legis.state.sd.us/statutes/DisplayStatute.aspx?Type=Statute&Statute=27A>
- SD.Gov / Government / Legislature / Codified Laws / Title List / 27A

Brief Definition Overview

- Criteria for Mental Illness Hold
 - Danger to Self or Others – due to a mental illness excludes acute intoxication (alone)
 - Exclusions
 - Chronic Disability (new)
 - SDCL 27A-1-1(4)

Who Can Initiate an Emergency MI Hold and Where – South Dakota?

- Law Enforcement - anywhere
- Qualified Mental Health Professional (QMHP) Initiated
 - But Only when a person “presents to a hospital”

Who Can Initiate an Emergency MI Hold and Where – South Dakota?

- Who is a Qualified Mental Health Professional (QMHP)? SDCL 27A-1-3
 - All Physicians
 - Certain: Psychologists; Advanced Practice Nurse; MSW's, Counselors; Marriage & family Therapists; Physician Assistants; Above Professionals Licensed in other state but employed by Federal Government in South Dakota

Who Can Initiate an Emergency MI Hold and Where – South Dakota?

- **Any Physician and Qualified Mental Health Professionals – Placement of MI Hold:**
 - In Hospital ED - Yes
 - Inpatient Setting - Yes
 - In Clinic – No
 - At a Non-Medical Facility – No
 - On the Street - No
- **Law Enforcement – Anywhere!**

Minnesota & Iowa

- **Who Can Initiate MI Hold?**
 - Minnesota: (up to 72 Hours)
 - Law Enforcement
 - Physician
 - Psychologist
 - Iowa: (up to 48 Hours)
 - Law Enforcement
 - Physician

Process

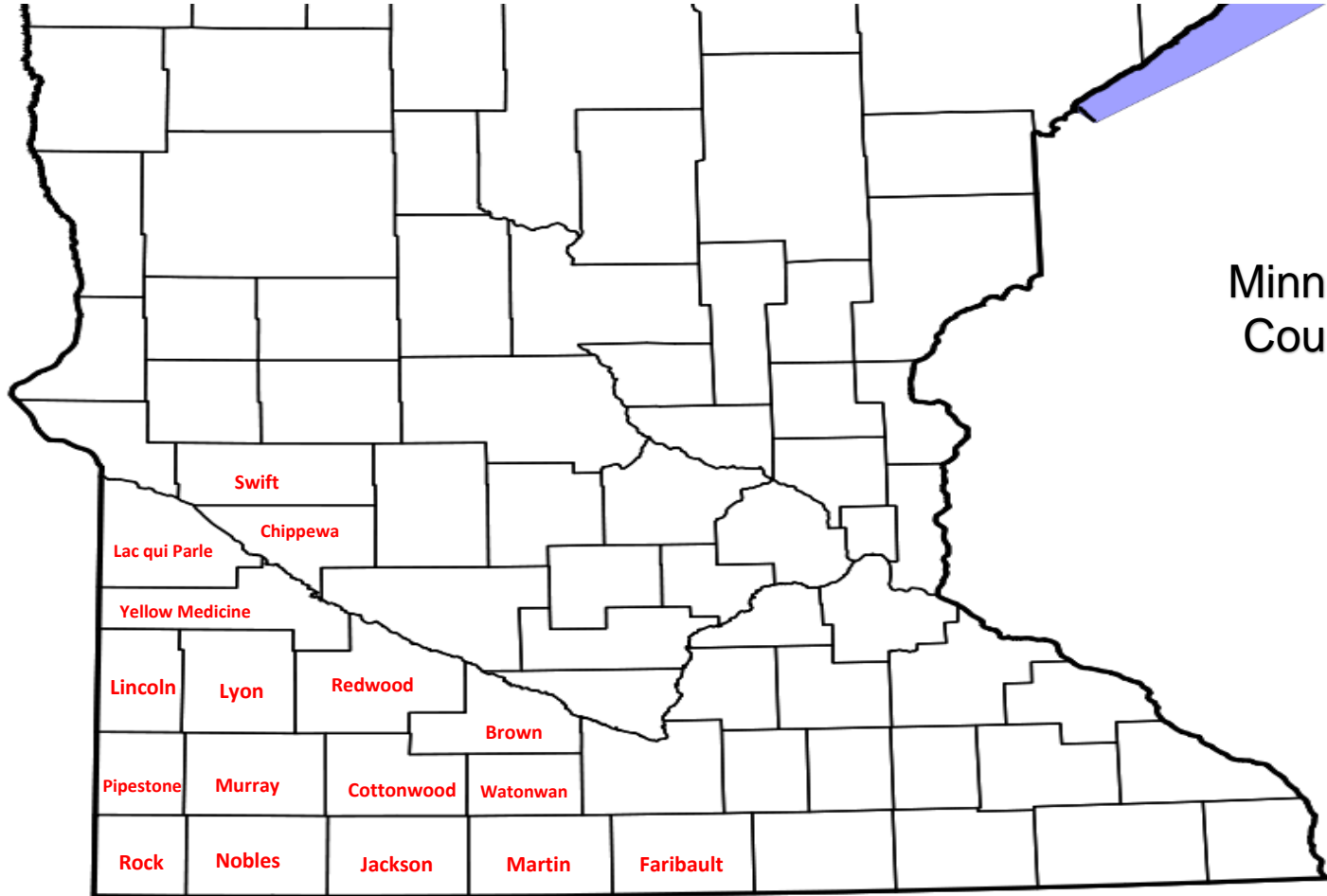
- **SD**
 - County Board of Mental Illness
- **Iowa**
 - Court
- **Minnesota**
 - Court

Placement of MN / IA Mental Illness Holds in SD

- SD State Law Change in 2004
- By Specific Contract Only – between a governmental entity and treating facility (Avera McKennan Behavioral Health only at this time)
- 17 Minnesota Counties / 6 Iowa Counties

Counties Covered in MN

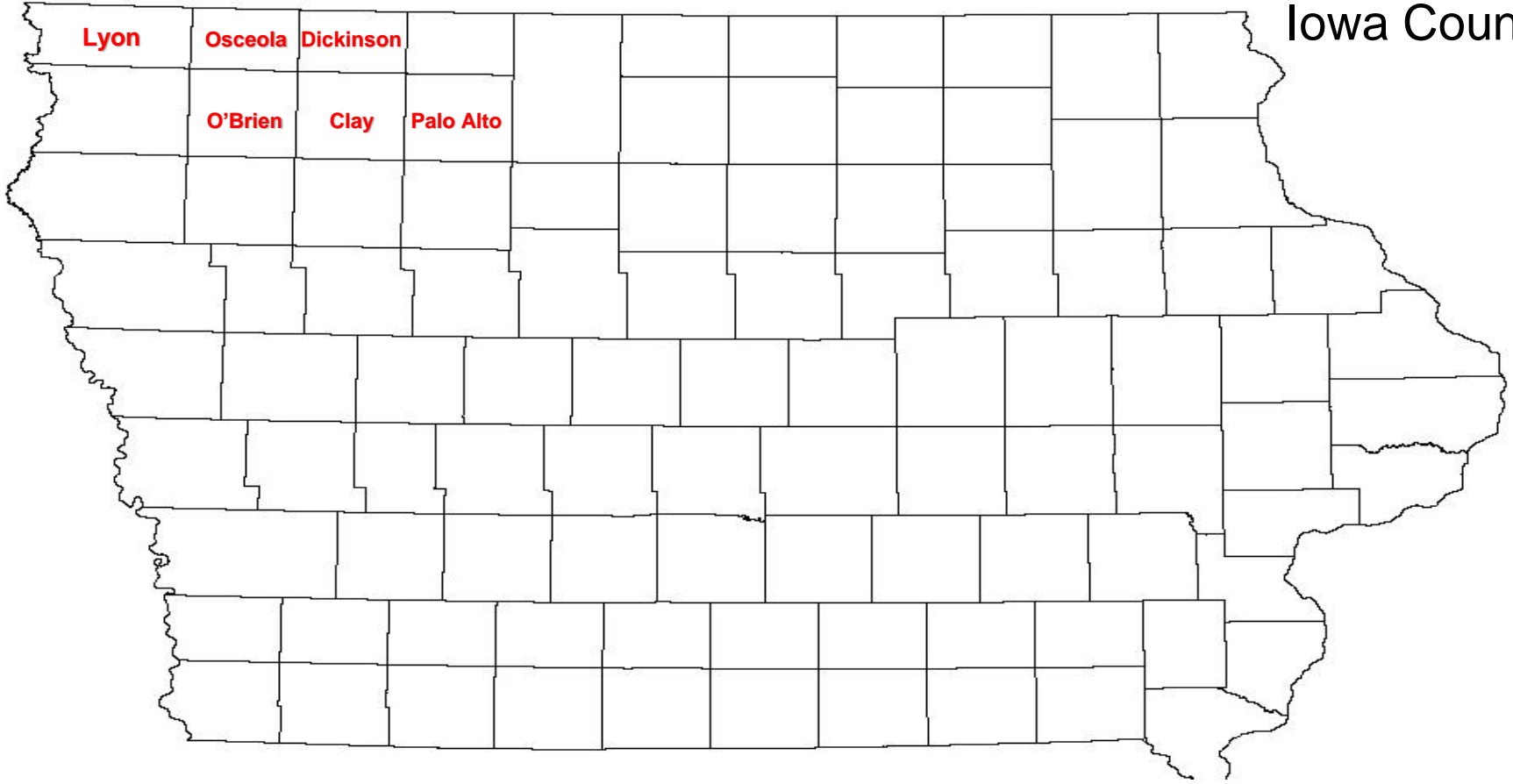
- Brown
- Chippewa
- Cottonwood
- Faribault
- Jackson
- Lac Qui Parle
- Lincoln
- Lyon
- Martin
- Murray
- Nobles
- Pipestone
- Redwood
- Rock
- Swift
- Watonwan
- Yellow Medicine



Minnesota
Counties

Counties Covered in IA

- Clay
- Dickinson
- Lyon
- Osceola
- Obrien
- Clay



Iowa Counties

Cross Border MI Holds Statutory Exclusions

1. Is serving a sentence after conviction of a criminal offense
2. Is on probation or parole
3. Is the subject of a presentence investigation

Process for Cross Border Placement

- Call Avera McKennan Behavioral Health Assessment Program
- Provide Clinical Information
- Fax MI Hold paperwork
- Provide Medical Information

Non-Emergency Petition South Dakota

- File Petition with States Attorney or Sheriff
- Personal knowledge – can be done by anyone
- County Mental Illness Board Chair acts within 24 Hours – determine whether person should be apprehended

Time Frames

- 24-Hour Mental Illness Hold
 - Once person is placed on Involuntary Mental Illness Hold, they must be evaluated by an independent QMHP within 24-hours (weekends/holidays included)
 - Independent QMHP appointed by MI Board Chair

Time Frames

- If QMHP finds that person does not meet criteria – person is released
- If QMHP finds that person does meet criteria – hearing must be held within five days. Hearing Arranged by County
- Person must have legal council

Time Frames

- If hearing finds person meets commitment criteria – person may be committed for up to 90-days
- Does not mean they will be held 90-days. Will be released if person no longer meets commitment criteria

Who Pays for What?

- Private Insurance, Medicare, Medicaid
- Contract with State of SD –
Involuntary MI Psychiatric Patients /
Beds

QUESTIONS?