





Brought to you by Larry Maile, PhD
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Learning Objectives

- a. Review Title 47 Statutes
- b. Nuts and bolt of the admissions process
- c. Managing Acute Clients Prior to Hospitalization

Alaska Statutes

- Title 47. Welfare, Social Services and Institutions
 - Chapter 30. Mental Health.

Website for Alaska Statutes

- <http://touchngo.com/lglcntr/akstats/Statutes/Title47/Chapter30.htm>

Alaska Statute 47.30.700

**Initiation of Involuntary
Commitment Procedures**

What is an Ex Parte?

- Any adult may petition the court.
- The petition must allege that the respondent is reasonably believed to present a likelihood of serious harm to self or others or is gravely disabled as a result of mental illness and must specify the factual information on which that belief is based including the names and addresses of all persons known to the petitioner who have knowledge of those facts through personal observation.

Ex Parte (continued)

- A judge shall immediately conduct a screening investigation or direct a local mental health professional to conduct a screening investigation of the person alleged to be mentally ill and, as a result of that condition, alleged to be gravely disabled or to present a likelihood of serious harm to self or others.

Ex Parte (continued)

- Within 48 hours after the completion of the screening investigation, a judge may issue an ex parte order orally or in writing.
- The order will state that there is probable cause to believe the respondent is mentally ill and that condition causes the respondent to be gravely disabled or to present a likelihood of serious harm to self or others.

Ex Parte (continued)

- The court shall provide findings on which the conclusion is based, appoint an attorney to represent the respondent, and may direct that a peace officer take the respondent into custody and deliver the respondent to the nearest appropriate facility for emergency examination or treatment. The ex parte order shall be provided to the respondent and made a part of the respondent's clinical record.

Ex Parte (continued)

- A judge may issue an ex parte order orally or in writing, stating that there is probable cause to believe the respondent is mentally ill and that condition causes the respondent to be gravely disabled or to present a likelihood of serious harm to self or others.

AS 47.30.705
Emergency Detention For
Evaluation

A peace officer, a physician, or psychologist who is licensed to practice in this state or employed by the federal government who has probable cause to believe that a person is gravely disabled or is suffering from mental illness and is likely to cause serious harm to self or others of such immediate nature that considerations of safety do not allow initiation of involuntary commitment procedures may cause the person to be taken into custody and delivered to the nearest evaluation facility.

A person taken into custody for emergency evaluation may not be placed in a jail or other correctional facility except for protective custody purposes and only while awaiting transportation to a treatment facility. However, emergency protective custody under this section may not include placement of a minor in a jail or secure facility. The peace officer or mental health professional shall complete an application for examination of the person in custody and be interviewed by a mental health professional at the facility.

AS 47.30.715. Acceptance of Order

When a facility receives the order for evaluation, it shall accept the order and the respondent for an evaluation period not to exceed 72 hours. The facility shall promptly notify the court of the date and time of the respondent's arrival. The court shall set a date, time and place for a 30-day commitment hearing, to be held if needed within 72 hours after the respondent's arrival, and the court shall notify the facility, the respondent, the respondent's attorney, and the prosecuting attorney of the hearing arrangements. Evaluation personnel, when used, shall similarly notify the court of the date and time when they first met with the respondent.

AS 47.30.670. Standards For Voluntary Admission

A person 18 years of age or older may be voluntarily admitted to a treatment facility if the person is suffering from mental illness and voluntarily signs the admission papers.

How to Get Into API or Not...

AS 47.30.680. Discharge of Voluntary Patients.

A patient who no longer meets the standards established in AS 47.30.670 shall be discharged from the treatment facility.

How to Present a Patient to API

- Requirements
 - Completed On-Site Evaluation
 - If blood alcohol > .08 percent conduct another evaluation when < .08

How to Present a Patient to API (continued)

- Does the individual meet Title 47 Involuntary Commitment Requirements
 - Danger to Self/Others
 - Grave Disability (could not safely survive in the community even with assistance from others and could be expected to improve with treatment
 - Example: Dementia would not be expected to improve here

How to Present a Patient to API (continued)

- Have Less Restrictive Alternatives been Tried and Ruled Out?
 - Patient Refused
 - Facility Refused

How to Present a Patient to API (continued)

- Patient's Mental Health Condition, Diagnosis, and History
- Reason for Referral
- Substance Abuse History

How to Present a Patient to API (continued)

- Current Medications and Degree of Adherence to Them
- Allergies

How to Present a Patient to API (continued)

- Requirements
 - Behavioral Complications
 - Suicidal Gestures or Attempts
 - Assaultive or Physically Dangerous to Others

How to Present a Patient to API (continued)

- Requirements
 - Is the Individual Medically Stable?
 - Current Vital Signs
 - Current Active Medical Problems and Status of Each
 - Recommendations for any Needed Follow-Up While at API

How to Present a Patient to API (continued)

- Requirements
 - Any Medical Equipment Be Needed?
 - CPAP
 - O2 Concentrator
 - Nebulizer
 - Splints
 - Walker, Wheelchair, or Cane

How to Present a Patient to API (continued)

- Labs
 - Urinary Analysis
 - Urine Drug Screen
 - Pregnancy Test (HCG)
 - Complete Metabolic Panel (CMP)
 - Complete Blood Cell Count (CBC)
 - Thyroid Stimulating Hormone (TSH)
 - Blood Alcohol Level (Breath Alcohol < .08%)

How to Present a Patient to API (continued)

- If individual had an overdose, they must be medically stabilized first.

Documents That Should Accompany the Patient

- Applicable Legal Documents (Ex Parte, POA, Copy of Early Release Document)
- Merged Health Summary if Recipient of Indian Health Services
- Current Medication List (include all meds given if at the current emergency department or clinic)

Documents That Should Accompany the Patient (continued)

- Copies of all laboratory studies completed
- Copies of all imaging studies completed
- Summary of most recent hospital or Emergency Room visit
- Current list of providers of medical and mental health services
- Supply of needed medications that API might not have access to During Evening Hours

Documents That Should Accompany the Patient
(continued)

- Availability of necessary information for continuity of care and medication reconciliation
- 513 Military Treatment Referral Authorization Form

Managing Acute Clients Prior To
Hospitalization
