Involuntary Hospitalization of the Mentally Ill:

How it works in St. Lawrence County

Reachout of St. Lawrence County, Inc.

Please make sure that your computer speakers are turned on
We will show you:

• The **laws** that cover involuntary hospitalization
• What the **legal terminology** means
• **Who** can invoke involuntary hospitalization
• How Reachout’s **Crisis Outreach Team** works
• How to get more **information**
• 9.27 Involuntary admission on medical certification
• 9.29 Involuntary admission on medical certification; notice of admission to patients and others.
• 9.31 Involuntary admission on medical certification; patient’s right to hearing.
• 9.33 Court authorization to retain an involuntary patient.
• 9.35 Review of court authorization to retain an involuntary patient.
• 9.37 Involuntary admission on certificate of a director of community services or his designee.
• 9.40 Emergency observation, care and treatment in comprehensive psychiatric emergency programs.

• 9.41 Emergency admissions for immediate observation, care, and treatment; powers of certain peace officers and police officers.
• 9.43 Emergency admissions for immediate observation, care, and treatment; powers of courts.
• 9.45 Emergency admissions for immediate observation, care, and treatment; powers of directors of community services.
• 9.47 Duties of local officers in regard to their mentally ill.
• 9.55 Emergency admissions for immediate observation, care and treatment; powers of qualified psychiatrists.
• 9.57 Emergency admissions for immediate observation, care and treatment; powers of emergency room physicians.
• 9.58 Transport for evaluation; powers of approved mobile crisis outreach teams.
“Likelihood to result in serious harm”

1. Substantial risk of physical harm to himself as manifested by threats of or attempts at suicide or serious bodily harm or other conduct demonstrating that he is dangerous to himself

2. Substantial risk of physical harm to other persons as manifested by homicidal or other violent behavior by which others are placed in reasonable fear of serious physical harm

SELF

OTHERS
Powers under NY Mental Hygiene Law §9.41

LAW ENFORCEMENT OFFICERS
Involuntary Hospitalization of the Mentally Ill: How It Works In St. Lawrence County
Prepared by Reachout of SLC, Inc.
March 2010

Based on NY Mental Hygiene Law, Article 9, as printed by WestLaw and LexisNexis, 12 March 2010.

This presentation is copyright 2010 by Reachout of St. Lawrence County, Inc.
(315) 265-2422 or reachout@reachouthotline.org
Powers under NY Mental Hygiene Law §9.45

DIRECTOR OF COMMUNITY SERVICES
Who is a “valid reporter”?

- a licensed physician
- a licensed psychologist, registered professional nurse, or certified social worker currently responsible for providing treatment services to the person
- the health officer
- a police officer
- a peace officer with appropriate special duties
- the supportive case manager of the person
- the intensive case manager of the person
- the spouse of the person
- the child of the person
- the parent of the person
- the adult sibling of the person
- the committee or legal guardian of the person

You might expect significant others, non-married housemates, friends, co-workers, neighbors, or other concerned people to be on this list. They aren’t.
Involuntary Hospitalization of the Mentally Ill:
How It Works In St. Lawrence County
Prepared by Reachout of SLC, Inc.
March 2010

Someone thinks help is needed

Director of Community Services
DCS or designee (NY MHL §9.45)

Crisis Outreach Team

COTs assess and report

Transport

Person is taken into custody by law enforcement and transported to hospital (§9.39)

Evaluation

Verifies danger using criteria listed in §9.39

Released From Hospital

Evaluation at Claxton by staff physician (§9.39)

Referral For Appropriate Assistance

Doesn’t meet danger criteria as listed in §9.39

Based on NY Mental Hygiene Law, Article 9, as printed by WestLaw and LexisNexis, 12 March 2010.

This presentation is copyright 2010 by Reachout of St. Lawrence County, Inc.
(315) 265-2422 or reachout@reachouthotline.org
Highly-trained specialists in field assessment

CRISIS OUTREACH TEAM
What is the Crisis Outreach Team?

- A team of Master’s-level counselors and social workers—all currently have >10 years of experience
- A program operated by Reachout of St. Lawrence County, Inc. since 1995
- State law requires counties to provide COT services (under COPS regulations)

- Specialize in mobile crisis intervention and mental health assessment
- No legal authority to compel involuntary treatment
- May not transport clients
- Work closely with DCS, law enforcement, and other stakeholders

CAPABLE   CARING
Involuntary Hospitalization of the Mentally Ill: How It Works In St. Lawrence County
Prepared by Reachout of SLC, Inc.
March 2010

Based on NY Mental Hygiene Law, Article 9, as printed by WestLaw and LexisNexis, 12 March 2010.

This presentation is copyright 2010 by Reachout of St. Lawrence County, Inc.
(315) 265-2422 or reachout@reachouthotline.org
Why is the process so complicated?

• Imagine that this was happening to you . . .
• . . . wouldn’t you want it to be hard for someone to handcuff you, put you in a police car, and take you to the mental hospital just because someone else said you needed it?
• The process can feel threatening—the constraints help us to establish trust with people in need
• Flexibility in the process is valuable
• The system requires a team of people working together, which helps prevent abuse
For more information:

• Reachout of St. Lawrence County  
  (315) 265-2422  
 reachout@reachouthisline.org

• Ruth Ayen, Director of Community Services  
  (315) 386-2048  
 rayen@co.st-lawrence.ny.us  or  
 sbeldock@stlawco.org  (Administrative Assistant)

• Law enforcement  
  911 or (315) 379-2222 (County Sheriff)  
 Other numbers depend on location
Credits:

• Designed, narrated, and produced by Hollis Easter
• Subject matter expertise was provided by Stephen Easter, Karen Easter, and Ruth Ayen
• This presentation is based on New York Mental Hygiene Law as published by WestLaw and LexisNexis in March 2010. It is a guide to practice, not a comprehensive legal reference.
License:

• This presentation and its visual and aural components are the property of Hollis Easter, licensed by him to Reachout of St. Lawrence County, Inc.

• You may share this presentation freely provided that you (a) give proper attribution to Hollis, (b) share it in its original, unchanged form, and (c) do not charge for it.

• Creative Commons Attribution Non-Commercial No Derivatives license
Involuntary Hospitalization of the Mentally Ill: How It Works In St. Lawrence County
Prepared by Reachout of SLC, Inc.
March 2010

Someone thinks help is needed

Law Enforcement Officers

Crisis Outreach Team

Director of Community Services

DCS or designee

( NY MHL § 9.41 )

COTs assess and report

COTs provide assessment

Sees danger criteria as listed in §9.39

Admitted To Hospital

Transport

Evaluation

Based on NY Mental Hygiene Law, Article 9, as printed by WestLaw and LexisNexis, 12 March 2010.

No danger using criteria listed in §9.39

Released From Hospital

Referral For Appropriate Assistance

Doesn’t meet danger criteria as listed in §9.39

Person is taken into custody by law enforcement and transported to hospital (§9.39)

No danger using criteria listed in §9.39

Evaluation at Claxton by staff physician (§9.39)

Referral For Appropriate Assistance

Doesn’t meet criteria

Verifies danger using criteria listed in §9.39

Transport Person is taken into custody by law enforcement and transported to hospital (§9.39)

Doesn’t meet danger criteria as listed in §9.39

Crisis Outreach Team

Law Enforcement Officers

DCS or designee

( NY MHL § 9.45 )