

**Policy:** Consumers involuntarily admitted to a state psychiatric hospital have the right to request and receive a second evaluation by a psychiatrist or psychologist who does not have a contractual or business relation with the facility. This right applies to all involuntary court-ordered admissions, and to emergency admissions once the decision to file for involuntary admission is made. It does not apply to the time period in which a person is held on an emergency admission before the decision to file for involuntary admission is made.

**Purpose:** The purpose of a second opinion is to assist consumers with making important decisions regarding diagnosis and other possible treatment options when admitted to a psychiatric hospital under certain conditions.

**Procedures:**

- I. Consumers have the right to request and receive a second evaluation from a psychiatrist or psychologist who does not have a contractual or business relationship with the facility when subject to a petition for involuntary admission to a mental health facility.
- II. The evaluation must (a) include, without limitation, a recommendation of whether the consumer should be involuntarily committed to the facility, and (b) be paid for by the consumer if the insurance carrier of the consumer refuses to pay for the evaluation.
- III. The consumer is to be notified of this right upon any type of involuntary admission to the facility. The notification will be documented in the clinical record of the consumer.
- IV. The consumer will be further notified of this right upon being served with the petition for involuntary admission to the mental health facility.
- V. Upon making the request for a second opinion, the consumer will be given:
  - A. A list of psychiatrists and psychologists who have a contractual or business relation with the facility;
  - B. Access to a current telephone directory and to a telephone for the purpose of engaging a psychiatrist or psychologist to perform the second evaluation;
  - C. The telephone number of the Nevada Disability Advocacy and Law Center, if the consumer asks for further assistance in locating an independent psychologist or psychiatrist for a second evaluation and opinion, or demonstrates confusion with respect as to how he or she can access such an independent opinion.

- VI. The request for a second opinion, and the staff action performed in compliance with this policy will be noted in the consumer's clinical record.
- VII. If the consumer requests the information to be provided to a spouse or family member or friend to assist in obtaining a second opinion, the list of psychiatrist and psychologists who have a contractual or business relationship with the facility will be given to the person pursuant to the consumer's request.
- VIII. A psychiatrist or psychologist who does not have a contractual or business relation with the facility shall have access to the consumer in the same fashion as a visitor, and upon the written consent of the consumer, may review the consumer's clinical record and discuss the case with staff.
- IX. A copy of the second opinion will be provided to the facility. The mental health facility will document the day and time of receipt of the second opinion, and will forward it to the consumer's treating physician for a determination whether to obtain a third opinion to resolve any conflicting portions of the previous examinations.
- X. Each inpatient agency shall develop specific written procedures to implement the provision of this policy or shall incorporate this policy into the agency policy manual.

A handwritten signature in black ink that reads "Carol Brando". The signature is written in a cursive style with a large, sweeping flourish at the end.

Administrator

Effective Date: 10/01/97  
Date Revised: 10/01/99; 7/30/07  
Date Reviewed: 3/10/05; 7/30/07  
Date Approved by the MHDS Commission: