

NORTHERN NEVADA ADULT MENTAL HEALTH
POLICY AND PROCEDURE

SUBJECT: COMMITMENT PROCESS

NUMBER: NN-RI-11

ORIGINAL DATE: 7/10/03

REVIEW/REVISED DATE: 05/06/04, 01/03/08, 1/20/11

APPROVAL: Rosalyn Reynolds {s} , Agency Director

I. PURPOSE

The purpose of this policy is to delineate a method of processing legal papers to facilitate involuntary admission and commitment requirements, and the use of Conditional Leave and Unconditional leave as stipulated in the Nevada Revised Statutes.

II. POLICY

It is the policy of Northern Nevada Adult Mental Health Services (NNAMHS) to process the required paperwork for the court ordered commitment process in a timely manner as outlined in the NRS. NNAMHS will follow-up and monitor the results of the court ordered commitment process outlined in NRS 433.003 through 433A.750.

III. REFERENCES:

NRS 433.003 through 433A.750.

IV. DEFINITIONS:

1. Legal 2000-R: The form will be completed by a licensed/ certified physician, psychologist, clinical social worker, registered nurse, clinical professional counselor,

- accredited agent of the Department of Health and Human Services, an officer authorized to make arrests in the State of Nevada, or a marriage and family therapist which attests to the fact a person is mentally ill or a danger to self or others. The form stipulates the name of the person, age, address, and the circumstances/ reasons under which a person was taken into custody. A consumer can be held for a maximum of seventy-two hours from the date and time of the medical clearance examination
2. Court Order: The legal document signed by a district judge which commits a consumer to a facility such as NNAMHS.
 3. Voluntary: A consumer agrees to be admitted to NNAMHS and signs the MR-126, Authorization for Admission form, which provides for treatment and rehabilitation and the physician has written an order for the consumer to sign a voluntary consent
 4. Involuntary Admission: A consumer admitted to the facility as a result of a legal petition and process whereby it is determined that the person requires emergency treatment to prevent injury to self or others, or is unable to meet their basic needs. A petition will be filed within seventy-two hours.
 5. Admission of a Consumer with a Guardian: In the event a consumer is admitted and the consumer's guardian signs paperwork for that admission, a Legal 2000-R must be provided. A petition must be filed in order for the DA, PD, and Judge to review the consumer's legal status and to ensure the consumer's best interest is being served. The Judge may rule that the guardian can sign a consumer in voluntarily.
 6. Emergency Admission: A consumer who is admitted to a facility such as NNAMHS because he/she is felt to be a danger to self or others or is unable to care for themselves.
 7. Court Commitment: The legal process in which a consumer is remanded to a facility such as NNAMHS.
 8. Court Case Number: The identification number given by the court to each case when the legal process is implemented. The same number is reassigned on all subsequent family court legal processes for that individual.
 9. Admit Status: This is assigned by the physician and documented as an order when the consumer is admitted. Categories include voluntary, involuntary, or court commitment.

10. Cover Sheet: Identification sheet which notes the plaintiff's name and date of birth. The cover sheet is only used when a consumer does not have a court case number.

V. PROCEDURE

1. Consumers are admitted to NNAMHS as voluntary, administrative transfer emergency/involuntary, court order, and court commitment.
2. Upon admission to NNAMHS, the consumer will be asked to sign Consent for Admission form. If the consumer initials and completes the section entitled "Release of Information to Family/Friend", the Health Information Services (HIS) Department will send a letter by certified mail to the identified family member/friend notifying them of the consumer 's admission per NRS 433A.190.
3. Upon receipt of the Legal 2000-R, the physician is contacted to obtain information regarding the disposition of the consumer. If the physician indicates the consumer will sign voluntary, the information and date will be noted on the legal status log. The daily legal status log has been developed to track each consumer's stay at NNAMHS and is maintained by (HIS).
4. Change of Legal Status
If the physician changes the legal status during the hospitalization, nursing staff are responsible for providing this information to HIS via telephone. HIS will check the specific charts to verify the reported changes.
5. Commitment
 - A. If the physician indicates the consumer is to remain at NNAMHS beyond 72 hours, HIS staff completes the necessary paperwork to file a petition for commitment. This includes the Civil Cover Sheet, Petition for Court Ordered Involuntary Admission, Certification of Examining person (which must be signed by the attending physician), Order in Response to Request for Court Ordered Involuntary Admission, and Examining Person's Certificate in Support of Petition for Court Ordered Involuntary Admission. The appropriate documents are delivered to the Washoe County Court House for recording by the court clerk. If a consumer has not previously received a court case number, the court clerk will assign a number when the legal process is

implemented. The same number is reassigned to that individual on each subsequent court action.

i. Court Order

- a. District Judge: If a consumer is court ordered to NNAMHS, the order must be signed by a district judge. No further paperwork is required.
- b. When a court order is received from a county other than Washoe, i.e., Humboldt, White Pine, Clark, etc., a petition is to be filed in Washoe County in order for the DA, PD and/or Judge to determine the consumer's legal status in Washoe County.
- c. If staff is unsure of the validity of a court order, the Agency Director or designee will be contacted for clarification.

6. Hearings

- A. A court appointed psychologist and psychiatrist meet with consumer prior to the hearing. Their findings are advisory to the Judge.
- B. As scheduled, a District Court Judge conducts court at NNAMHS at which time the Judge determines the commitment or non-commitment status of the consumer. At this time, the Public Defender can ask for a 10-day notification, or the District Attorney can waive the 10-day notice.

7. Conditional Leave

- A. NNAMHS does not currently use the conditional leave process as outlined in Nevada Statutes.

8. Unconditional Leave

- A. NNAMHS does not currently use the Unconditional Leave process as outlined in Nevada Statutes.

9. Recommitment

- A. Once a consumer has been committed to NNAMHS, the time frame of the commitment is six months. No less than 30 days prior to the expiration of the commitment, HIS will notify the physician of the expiration date and make the physician aware of the need to discharge the consumer, have the consumer sign as voluntary, or recommit the consumer.

- B. If the consumer is to be recommitted, the physician will be asked to dictate information noting the personal history and facts in support of his/her opinion to justify the recommitment.

The recommit packet consists of the Petition for Court Ordered Involuntary Admission, Verification, personal history and facts in support of the physician's opinion, Order in Response to Request for Court Ordered Involuntary Admission, and Examining Person's Certificate in Support of Petition for Court Ordered Involuntary Admission. These documents are delivered to the district attorney's office. The judge then hears the case. In the event of a recommit, notification is given to the deputy attorney general.

10. Court Calendar

- A. A court calendar is distributed to HIS staff who will verify the accuracy of the list against the legal status log. Copies are made for use in the court at NNAMHS on Tuesday. The results of this meeting are emailed back to the Court Clerk and the unit court liaison.
- B. On Wednesday morning, an updated court calendar is distributed to HIS staff. HIS staff will verify the accuracy of the list. The court cases will be reviewed by the court appointed psychiatrist and psychologist.
- C. On Thursday, the cases are presented to the Judge who determines if the consumer meets criteria to be committed.

- 11. The petitions are returned from the court the day after they are filed and are placed in the appropriate record. The court orders are returned on Monday and placed in the appropriate records.