


GUAM BEHAVIORAL HEALTH AND WELLNESS CENTER		
TITLE: 72 - Hour Hold & 28 Day Certification: Involuntary Hospitalization for Evaluation and Treatment	POLICY NO: AD-CL-05	Page 1 of 4
RESPONSIBILITY: Crisis Stabilization Unit		
APPROVED BY:  DIRECTOR	EFFECTIVE: 10/27/2017	
	LAST REVIEWED/REVISED: NOV 16 2018	

PURPOSE:

- A. To provide a guideline for staff to ensure compliance with the legal requirements of the 72-Hour Involuntary hospitalization of Consumers for Evaluation and Treatment, set forth by Article 2 Involuntary Hospitalization and Article 3 Certification for Intensive Treatment of the Guam Code annotated Chapter 82 Mentally Ill Persons.

POLICY:

- A. It is the policy of Guam Behavioral Health and Wellness Center to uphold the criteria for 72-hour involuntary hospitalization of mentally ill based on 10 GCA Chapter 82 Civil Commitment of Mentally Ill Persons for Other Purposes. A 72-Hour Involuntary hospitalization shall be utilized only as a last resort, making every reasonable effort to treat the person on a voluntary basis.
- B. Any person brought or referred to GBHWC that meets the involuntary hospitalization criteria can be detained involuntarily in the Adult Inpatient Unit for a period not to exceed 72 hours excluding Saturdays, Sundays and Holidays for evaluation and treatment. The ff. criteria due to mental illness must be met for 72-hour hold to apply;
 - 1. A danger to self (a life threatening danger to self, i.e., suicide), and/or
 - 2. A danger to others or
 - 3. gravely disabled due to his/her mental illness,
- C. Only a law enforcement officer may use reasonable force to restrain and detain a person (that is believe to meet the criteria for involuntary hospitalization) in need of evaluation.
- D. Only a qualified mental health professional (Psychiatrist, Clinical Psychologist, certified Psychiatric Nurse, Physician) is authorized to determine whether a person presented for examination needs to be detained and apply for a 72 hour hold. If in the judgement of the qualified health professional providing the evaluation, the person can be properly treated without being detained, the person shall be provided with an evaluation, crisis intervention and referral to other services on a voluntary basis.
- E. If at the end of the 72-hour evaluation period, the consumer continues to meet one of the three involuntary hold criteria, and still refuses voluntary treatment, the consumer can be detained and remain in treatment upon the written certification of two qualified mental health professionals that treatment is necessary. This certification is known as the **"28-day certification for intensive treatment"**. Involuntary intensive treatment shall continue under the following conditions: (*10 GCA Chapter 82 Article 3 § 82301*)
 - 1. The consumer has been advised that he needs voluntary treatment but has not accepted it, and
 - 2. A facility providing intensive treatment is equipped and staffed to provide appropriate treatment and agrees to admit the consumer, and

3. An individual who is gravely disabled as a result of a mental illness may be certified for intensive treatment only after a finding by the Court that alternative, non-institutional care, capable of providing appropriate care support is not available on an outpatient basis and after finding by the Court that the facility has the capability to provide intensive treatment for the consumer.
- F. As otherwise provided in the provisions of Article 5 or Article 7 of 10 GCA chapter 82, a consumer must be release at the end of 28 days who do not agree to receive further treatment on a voluntary basis. (refer to 10 GCA Chapter 82 article 5).
- G. For each consumer admitted for evaluation and treatment, shall be given advisement by the Crisis Stabilization Unit Staff. The information shall be given orally and in writing using the advisement form (see attachment F-CL-59). The Center shall keep with the consumer's medical record a record of the advisement and consumer rights given pursuant to 10 GCA Chapter 82 Article 6 Legal and Civil; Rights.

DEFINITIONS:

1. **Gravely disabled:** A person who, as a result of mental disorder, is unable to use the elements of life which are essential to health or safety, including food, clothing or shelter, even though provided to the person by others.
2. **Mentally Ill:** A person having a psychiatric or other disorder which substantially impairs the person's mental health.
 - a. It does not include a person suffering from epilepsy, mental retardation, or brief periods of intoxication caused by substances such as alcohol or drugs.
3. **Qualified mental health professional:** A licensed professional qualified by training or experience in the diagnosis of mental or related illness.
 - a. The following licensed professionals shall be so designated: a psychiatrist; a clinical psychologist; a certified psychiatric nurse at the Master's level; and a physician.
4. **Treatment:** shall mean any therapy approved by the American Psychiatric Association or other recognized medical body, but shall not include those forms of treatment known as Electroconvulsive Shock, Insulin Shock, Psycho-Surgery or any other measure which requires the physical invasion of the consumer's body
5. **28 Day Certification:** *A written certification of two qualified mental health professionals for involuntary intensive treatment of a consumer in a 72hour hold that still is a danger to self and others or is gravely disabled due to mental illness*

PROCEDURE:

Referral of Consumer for Evaluation

- A. Any individual can present a consumer for evaluation and treatment (i.e., relative, Center staff member, law enforcement officer, etc.).
- B. Screening/Intake worker shall screen and assess consumer if eligible for services; If a consumer is found to be a danger to himself and or to others, or gravely ill due to mental illness but refuses treatment and/ or admission to a crisis stabilization unit, shall be referred to a Psychiatrist and or Clinical Psychologist for a 72 hour hold and evaluation.
- C. The person bringing the consumer in for evaluation must be instructed to stay with the consumer until the evaluation is completed and a disposition is determined as required by law
- D. If a law enforcement officer is presenting a consumer for evaluation, his/her written report on the reasons for detaining a person for evaluation shall be included in the 72-Hour Involuntary Detention for Evaluation and Treatment Form.
 - a. If the qualified health professional conducting the evaluation finds that the consumer does not meet the criteria for a 72 hour hold he/she must notify the law enforcement officer, or the police department.
 - b. The law enforcement officer shall provide for the safety of others during the evaluation, if necessary.

Evaluation and admission of Consumer for 72 Hour Hold

- A. Only a Psychiatrist or Clinical Psychologist are authorized to evaluate a consumer and determine if a 72-hour hold is necessary.
- B. A 72- hour hold application shall be completely filled out by the Psychiatrist or Clinical Psychologist, signed, dated and placed in the consumer's medical record.
- C. Upon admission the involuntary consumer advisement form (F-CL-59) shall be completed and the consumer informed of his/her involuntary admission and read his/her rights and responsibility.
 1. If advisement is not possible upon admission, it should be documented on the advisement form.
 2. Attempts to advise the consumer must be made at every shift following admission and documented until advisement form is completed.
 3. A copy of the advisement form must be placed in the medical record and a copy must be given to the consumer and/or legal guardian.
 4. If advisement was not completed, a statement of good cause must be documented.
- D. Each person admitted for a 72-hour involuntary hospitalization shall be released prior to the lapse of that period. If in the opinion of the qualified mental health professional that person is still a danger to self and/or to others or gravely disabled, the following protocol will be followed;
 1. The consumer is referred for further treatment on a voluntary basis and the consumer consents by voluntarily signing the appropriate forms
 2. If the consumer refused further treatment or hospitalization a written certification called a 28-day certificate for intensive treatment of two (2) qualified mental

- health professionals stating the need for further inpatient treatment will be applied for in court.
3. Certification shall be required for any involuntary 28-day intensive treatment after a 72 hour hold.

Attending Psychiatrist Review of 72- Hour Involuntary Detention Application:

- A. If the attending psychiatrist is not the admitting psychiatrist, he/she shall assess the consumer and review the 72 hour hold as soon as possible after admission.
 1. If the attending psychiatrist is not in agreement of the 72 hour hold, he/she shall order discontinuation of the 72 hour hold and indicate new legal status of the consumer in the Physicians order form.
 2. If admission is indicated but involuntary hold criteria are no longer present, the consumer must sign voluntary admission forms or be discharged.
- B. Psychiatric progress note should be entered in the Medical Record to document the process.

28-day Certification for Intensive Treatment Application

- A. Two qualified mental health professionals shall evaluate the consumer and certify that a consumer of a 72-hour hold is still a danger to self, a danger to others or is gravely disabled because of mental illness, and needs to remain in treatment.
- B. A 28-day certification form shall be filled up by the attending Psychiatrist and cosigned by another qualified mental health professional who also evaluated the consumer.
- C. Psychiatrist progress note should be entered in the medical record to document the process.
- D. The assigned social worker shall notify the court of the Certificate on the first working day following its issuance, and shall document the name of the court official that was notified in the 28-day certification form. The court shall appoint legal counsel to represent the consumer.
- E. Copies of the certificate notice shall be presented to the Superior Court of Guam, Consumer, Consumer attorney and or Legal Guardian.
- F. One of the qualified mental health professionals who performed the evaluation shall be required to be present for the hearing, set by the court and held within 72 hours of the issuance of the certificate.

REFERENCE(S):

ATTACHMENT(S):

F-CL-58 Involuntary Hospitalization Advisement Form
F-CL-59 72-hour hold Application: Involuntary Psychiatric Hospitalization
F-CL-60 28-Day Certificate for Intensive Treatment



GBHWC Involuntary Hospitalization Consumer Advisement

(10 GCA Chapter 82)

Consumer: _____ DOB: _____ MR#: _____

Admit Date: _____ Time _____

Advisement:

You are being placed in Guam Behavioral Health and Wellness Center Crisis Stabilization Unit because it is our professional opinion that, as a result of a mental health disorder, you are likely to (check applicable):

- be a danger to yourself
- a danger to others
- gravely disabled unable to take care of your own food, clothing, and housing needs

We believe this is true because: (List facts upon which allegations of danger to self and or others or gravely disabled due to mental health disorder are based, including facts arising from the admission interview)

You will be held for a period of 72 hours. During these 72 hours you will be evaluated by GBHWC staff, and you may be given treatment, including medications. It is possible for you to be released before the end of the 72 hours. But if the staff deemed that you need continued treatment, you can be held for a longer period of time upon the written certification of two Psychiatrist or other qualified mental health provider. If you are held longer than 72 hours, you have the right to a lawyer and a qualified interpreter and a hearing before a judge. If you are unable to pay for the lawyer, then one will be provided to you free of charge.

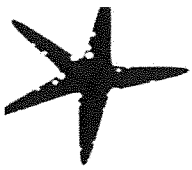
If you have questions about your legal rights, we can refer you to a patient advocate the Guam Legal Services.

- Advisement Complete
- Advisement Incomplete: (document a statement of good cause) _____

* Advisement shall continue each shift until it is completed

Staff Name: _____ Position: _____

Signature _____ Date: _____ Time _____



GBHWC 72 hour hold Order Application

(10 GCA Chapter 82)

Proposed Consumer: _____ Age ____ Sex ____ Address: _____

Name of Parent/ legal Guardian _____ Contact No: _____

Person Making Application:

Police Officer Family Member Health Professional Others _____

I hereby make this written application to the Guam Behavioral Health and Wellness Center for the evaluation of the above named consumer for admission. I believed this person is mentally ill, and as a result is a, danger to self, danger to others or gravely disabled. (List facts upon which allegations of mental health disorder and as a result is a danger to self and to others and or gravely disabled are based. Include a statement with identifying information regarding any individuals who might be endangered if this person is not held.)

Indicate by checking this box if criminal charges may be filed. (The police officer/GPD will be notified if the person is not admitted or if person is released prior to end of 72 hours)

Name: _____ Title: _____ Agency: _____
Signature: _____ Date: _____ Time: _____

Qualified Mental Health Provider on Duty's Statement: I am a Psychiatrist/Clinical Psychologist/ Certified Psychiatric Nurse practitioner. Upon preliminary examination, it is my opinion that this person Has symptoms of mental illness and as a result of mental illness is Gravely disabled A danger to self A danger to others

(Pls. specify symptoms and findings in the space provided)

Does not have symptoms of mental illness (if intoxicated pls. specify) _____

I do recommend 72-hr. hold involuntary hospitalization for evaluation and treatment.

I do not recommend 72-hr. hold involuntary hospitalization. Consumer advised

Name: _____ Title: _____ Position: _____
Signature _____ Date: _____ Time _____



GBHWC 28- Day Certification Application

(10 GCA Chapter 82)

Consumer: _____ Age ____ Sex ____ Admit Date: _____ Time: _____

Name of Parent/ Legal Guardian _____ Address _____ Contact No: _____

Qualified Mental Health Provider on Duty's Statement

I am the attending Psychiatrist and have examined the consumer named on this application within 48- 60 hours of the 72 hour hold in the Crisis Stabilization Unit of GBHWC. In my opinion there is a need for continued treatment and evaluation. The following information has been established indicating continued presence of a mental illness and the need for following services; **(please specify continued symptom and the treatment needed)**

As a result of mental illness the consumer continues to be a [] Danger to Self [] Danger to others [] Gravely Disabled if not hospitalized. The consumer has been advised of the need for the following service, but has not been able or willing to accept treatment on a voluntary basis:

We have reviewed the statements above which reflects our observation and opinions with respect to the certification of the patient herein.

Psychiatrist filling out Certification: _____ Date Examined: _____

Second Qualified Mental Health Professional: _____ Date Examined: _____

"The Court shall be notified of the Certificate on the first working day following its issuance. The Court shall appoint legal counsel to represent the person being detained." [10GCA 82301(b)]

Name of Court Official notified by phone: _____ Date _____ Time _____

Copies of this Certificate notice shall be presented to the Supreme Court of Guam, Consumer, Consumer Attorney, Attorney General's Office, and treating facility. [10 GCA 82303(a)]

Other person patient wishes to be notified of this Certification: [10GCA 82303(b)]:

Name: _____ Relationship: _____

Consumer's Signature Acknowledging: _____ Date: _____

**GUAM BEHAVIORAL HEALTH AND WELLNESS CENTER
REVIEW AND ENDORSEMENT CERTIFICATION**

RECEIVED BY
GUAM BEHAVIORAL
D# 100818-005
OCT - 9 2018
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The signatories on this document acknowledge that they have reviewed and approved the following:

Policy and Procedure

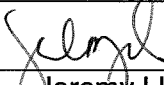

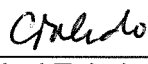

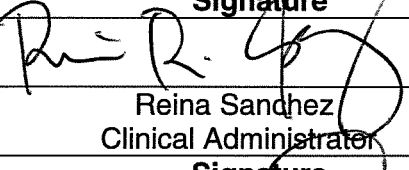
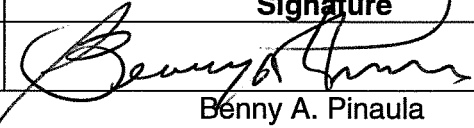
Submitted by: Cydsel Toledo

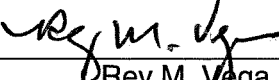
Protocol/Form

Policy No: AD-CL-05

Bylaws

Title: 72-Hour Hold & 28 Day Certification: Involuntary Hospitalization for Evaluation and Treatment

Reviewed/Endorsed Title	Date	Signature
	10/6/18	
Name Title		Jeremy Lloyd Acting Nurse Administrator
Reviewed/Endorsed Title	Date	Signature
	9.4.18	
Name Title		Annie Unpingco CASD Administrator
Reviewed/Endorsed Title	Date	Signature
	8/22/18	
Name Title		Cydsel Toledo Quality Improvement Coordinator
Reviewed/Endorsed Title	Date	Signature
	8/29/18	
Name Title		Dr. Ariel Ismael Medical Director
Reviewed/Endorsed Title	Date	Signature
	9/26/18	
Name Title		Reina Sanchez Clinical Administrator
Reviewed/Endorsed Title	Date	Signature
	OCT - 9 2018	
Name Title		Benny A. Pinaula Deputy Director

Reviewed/Endorsed	Date	Signature
	NOV 16 2018	
Title	Name Title	Rey M. Vega Director