

Emergency Procedure Stakeholder Meeting – 3/8/21

Transportation Holds

Where it Came From

- SB 17-207
 - Eliminated use of jails to hold individual experiencing MH crisis
 - No involuntary option for individual To receive MH services unless they met 72 hr hold criteria (imminent danger to self or other, gravely disabled)
 - SB 17-207 established transportation hold
 - May 1, 2018 went into effect

OBH Implementation

- Official Name: Involuntary Transportation for Immediate Screening
 - Initial step to get persons who will not voluntarily and do not meet 72 hr hold criteria from the community to a MH facility for a screening
 - Hold ends when person is received by MH facility
 - Hold allows for maximum 6 hours for transportation
 - Emergency services required to report data to OBH, currently 8 months of data – 913 transports in latter half of 2018
 - Not seeing as much use as 72 hr hold
 - Still gathering data to inform updates to meet community needs
 - Can facility be designated MH facility or does it need to be a crisis/emergency facility?
 - Not a lot of specific language in statutory language
 - Opportunity for update of language
 - What ages does this cover?
 - Not specific to an age group, covers all including youth

Statutory Language Breakdown

- Can be broken into 5 parts
 - Criteria
 - “When any person appears to have a mental health disorder and, as a result of such mental health disorder, is in need of immediate eval for treatment in order to prevent physical or psychological harm to others or to himself or herself”
 - Does this exclude under the influence persons?
 - Language is when person appears to have MH disorder
 - Clinical judgement of intervening professional
 - Is there a rating system for facilities?
 - OBH offers regulatory oversight of facilities, not including emergency facilities
 - Main issue is with persons in the community being safely transported to a facility to receive an evaluation

- As system currently stands, involuntary movement involves coercion and is done at the moment by law enforcement
 - Signal doing work in various counties around state to develop system in partnership with ambulances to reduce time for access to crisis team
- Who can place the hold
 - Currently an intervening prof is defined as
 - Certified peace officer
 - Professional person (physician or psychologist)
 - Registered professional nurse with post grad education and additional training
 - Licensed therapist (LMFT, LPC, LAC)
 - Licensed social worker
 - Takeaway: the M0.5 is primarily a work-around for insufficient crisis services. When there are robust crisis services that respond in a timely manner, and with trained individuals (including peers) - then M0.5 becomes mostly unnecessary.
 - We should include language that the .5 should be a last resort
 - Build in early incentive for crisis response team intervention rather than use the transportation hold
- Enforcement
 - “Upon probable cause and with such assistance as may be required”
 - There is case law regarding probable cause to help inform language
 - Huge difference between rural and urban Colorado, access and distance to facility as well as relationship between law enforcement and community services available
- What facilities are people being transferred to
 - “may immediately transport the person to an outpatient mental health facility or other clinically appropriate facility designated or approved by the executive director. If such a facility is not available, the person may be taken to an emergency medical services facility”
 - Utilize walk-in centers or other mental health facilities
- What happens next
 - How does the hold end?
 - Should have a set amount of time to evaluate
 - What happens at the receiving facility?
 - Rights throughout process?
 - Parents/family being unaware of rights – should have alternative to handle responsibility of transport on their own
 - Lack of regulation and oversight of if their rights are being infringed
 - Where to file a complaint?
 - Gap in rights clarity during this piece of the process

- How do people get home that don't meet M1 criteria and don't want voluntary services?
- Is the name Transportation Hold problematic?