

# NAMI Maryland

## What to do in a Psychiatric Crisis in Maryland

09/06

This brochure describes steps to assist a person who is in psychiatric crisis and needs help. A psychiatric crisis includes but is not limited to: suicidal or homicidal thinking and/or behavior, acute psychotic symptoms, sudden change in mental status and violence. The steps progress from help for a person who is cooperative, to getting an emergency evaluation, to involuntary admission to a hospital.

### ***My relative/friend/neighbor is in a psychiatric crisis and is cooperative. What should I do?***

If the person has a health care provider such as a doctor, case manager, or other mental health worker, call that professional for assistance. If the health care provider recommends a non-hospital crisis bed or hospitalization, then the health care provider will try to convince the person to seek an evaluation for voluntary admission.

If the person does not have a provider, check with your county's mental health core service agency about the local services available. Encourage the person to go to an emergency room, a mental health clinic, walk-in crisis center, or a psychiatric hospital. If possible, go with the person and provide as much information as possible regarding the individual's illness and behavior to the evaluating doctor or mental health worker.

### ***My relative/friend/neighbor is in a psychiatric crisis, refuses voluntary placement, and his health care provider recommends hospitalization. What should I do?***

A physician, psychologist, licensed clinical social worker, licensed clinical professional counselor, county health officer or designee, or without getting a judge's approval. Ask the provider to file the petition or to work with someone who can file without getting a judge's approval. The law requires that the petitioner has personally examined the individual, though a specific time period is not stated. These professionals must hand the petition to a law enforcement officer. cannot go in person to the police/sheriff's office, a sheriff will sometimes go to the petitioner's office.

### ***What are the criteria for filing a petition for emergency evaluation (EP)?***

A petition for emergency evaluation can be made only if the petitioner has reason to believe that the individual:

- has a mental disorder and
- the individual presents a danger to the life or safety of the individual or others

(Note: Prior to October 1, 2003, the second criterion was "there is clear and imminent danger of the individual's doing bodily harm to the individual or another")

### ***My relative/friend/neighbor is in a psychiatric crisis, and cannot or will not help himself, and has no health care provider. How can I get the person medical attention?***

If there is a mobile crisis response team in your area, call them. A mobile crisis team is a group of mental health workers who are trained to evaluate people in crisis and can file an emergency petition.

Mobile Crisis Team Numbers:	
Anne Arundel	410-768-5522
Baltimore City	410-433-5255
Baltimore	410-931-2214
Frederick	301-624-4682
Harford	410-638-5248
Howard	410-531-6677
Montgomery	240-777-4000
Prince George's	301-927-4500
Worcester	911

## ***What if there is no mobile crisis team available, and the person refuses to go to the hospital, doctor, or any place where he could get treatment?***

You have two choices:

(1) File a petition for emergency evaluation: Any interested person (friend, relative, neighbor, or health professional) may file a petition for emergency evaluation for review by a judge. District and Circuit Court hours are M-F, 8:30 a.m. - 4:30 p.m. Prince George's, Montgomery and Baltimore City can handle emergency petitions 24 hours a day, seven days a week. This procedure may take several hours. When a petition for emergency evaluation is granted, the person to be evaluated is taken by a sheriff or policeman to an emergency room (ER). The person will then be evaluated for possible hospital admission.

(2) Call 911: If the situation requires immediate intervention, within 2 hours, then you may have to call 911. If you call 911, policemen or sheriffs will come and evaluate whether the person meets the EP criteria (defined above). In making this determination, they will take into account all pertinent information including what you tell them about the person and what they observe directly. If they decide that an evaluation is needed, they will take the person to the nearest emergency room.

## ***How do I file a petition for emergency evaluation?***

During court hours, go to the nearest District Court. (District Court phone numbers are listed on the back of this brochure. Some Circuit Courts will also do this.) In Montgomery, Prince George's County or Baltimore City, call a police station to find out which station will accept an EP during non-court hours. Take a list of any medications the person is taking or was prescribed. Take medical records such as hospital admission or discharge reports and diagnoses if readily available. Ask for the petition for emergency evaluation form. The form is also available online at <http://www.courts.state.md.us/courtforms/joint/ccdc13.pdf>. If possible, give one or more locations where the person may be found. Try to give detailed, specific answers to the questions. Attach a page if needed. Concentrate on what is happening now. Add a statement requesting that the evaluatee be assisted in bringing his medications and some money with him to the evaluation.

The judge can grant a petition only if "the court finds probable cause to believe that the emergency evaluatee has shown the symptoms of a mental disorder and that the individual presents a danger to the life or safety of the individual or of others".

Please be aware that there are criminal and civil penalties for making fraudulent statements in a petition.

## ***What happens when a petition for emergency evaluation is granted?***

You may be required to take the petition to the sheriff's office and be interviewed there. The police or sheriffs will find the person in crisis and take him, often in handcuffs, to the nearest emergency room for evaluation. It is sometimes possible to request a specific hospital. Occasionally there is a long delay before the police or sheriffs arrive. If during the wait the situation requires immediate intervention, call 911 and leave the scene if you are at risk.

At the emergency room (ER), the law requires a psychiatric evaluation by two physicians or a physician and a psychologist within 6 hours. Make every attempt to be there to talk to the doctors. If possible, have the person's treating doctor/therapist call the ER physician. Find out from the police/sheriff when the petition will be served so that you can go to (preferable) or call the ER. Give the ER physician information that relates to the 5 criteria for involuntary admission, particularly behavior demonstrating that the person presents a danger and any history of mental illness. Let the ER physician know if you are unwilling to accept the person back in your home in his present condition or if he is otherwise homeless. Tell the ER physician if the treating physician wants to talk to him. Give the ER physician information on the patient's present medications and dosages, as well as recent medication changes, along with the provider phone numbers.

## ***What are the criteria in Maryland for involuntary admission to a psychiatric hospital?***

Maryland law allows involuntary admission to a hospital when a person:

- has a mental disorder and
- needs inpatient care or treatment and
- presents a danger to the life or safety of the person or others and
- is unable or unwilling to be admitted voluntarily and
- there is no available less restrictive form of intervention that is consistent with their welfare and safety.

## ***What happens if the person is certified in the ER for involuntary hospital admission?***

By law, an evaluatee may not be kept in an emergency facility for more than 30 hours. If the examining physician is unable to have the person admitted to an appropriate facility, the state Department of Mental Hygiene is required to provide for admission within 6 hours of notification.

A person involuntarily admitted to a hospital will have a hearing with an administrative law judge (ALJ), within 10 days of admission, to determine if he still meets the requirements for involuntary admission. The person has the right to change to a voluntary admission status any time before the hearing decision, if the hospital psychiatrist finds the person able to understand and agree to treatment. Voluntary status allows the person to sign out of the hospital unless the psychiatrist determines that the person again meets the criteria for involuntary admission and re-certifies him.

The hospital must give the parent, guardian or next of kin notice of the hearing time, date and place, so that they may testify. Other interested people can notify the hospital that they would like to testify at the hearing, in person or by telephone. If the ALJ finds that the person meets the standard, the person will be involuntarily admitted for up to six months. (Average stay in a general hospital is currently about 5 days and is about 9 days in a private psychiatric hospital) If the person does not meet the standard, he can leave immediately, but may be re-petitioned under new circumstances.

The admitted person must be released when the person does not need in-patient care to protect the individual or another, would not endanger the individual or the person or property of another, and can care for himself or will be cared for properly by a responsible person who is able and willing to care for the individual.

Involuntary hospitalization is not a long-term solution, but might be the best chance for a person to start to stabilize, and to avoid a tragic outcome.

## ***What happens if the person is not certified in the ER for involuntary hospital admission?***

The evaluatee is immediately free to go, however, you can request that the ER staff discuss with the evaluatee a referral to a voluntary residential crisis bed or other appropriate services. The person may be re-petitioned under new circumstances.

---

Permission is granted for this brochure to be reproduced in its entirety, including the NAMI name and logo.

DISCLAIMER: The information contained in this brochure is provided as a service to the community, and does not constitute legal advice. NAMI MD tries to provide quality information, but we make no claims, promises or guarantees about the accuracy, completeness, or adequacy of the information contained in this brochure. As legal advice must be tailored to the specific circumstances of each case, and laws are constantly changing, nothing provided herein should be used as a substitute for the advice of competent counsel.

NAMI Maryland  
804 Landmark Drive, Suite 122  
Glen Burnie, MD 21061  
(410) 863-0470  
(800) 467-0075  
namimd@nami.org  
<http://md.nami.org>

### ***District Courts:***

Check <http://www.courts.state.md.us/district/directories/courtmap.html> for hours, addresses and directions.

Allegany	301-723-3100
ANNE ARUNDEL	
Annapolis	410-260-1370
Glen Burnie	410-260-1800
BALTIMORE	
Catonsville	410-512-2500
Essex	410-512-2300
Towson	410-512-2000
BALTIMORE CITY	
Fayette & Gay St	410-878-8900
East North Ave.	410-878-8500
E. Patapsco Ave.	410-878-8300
Wabash Ave.	410-878-8000
Calvert	443-550-6700
Caroline	410-819-4600
Carroll	410-871-3500
Cecil	410-996-2700
Charles	301-932-3300
Dorchester	410-901-1420
Frederick	301-694-2000
Garrett	301-334-8020
Harford	410-836-4545
Howard	410-480-7700
Kent	410-810-3360
MONTGOMERY	
Rockville	301-279-1500
Silver Spring	301-563-8500
PRINCE GEORGE'S	
Hyattsville	301-699-2766
Upper Marlboro	301-952-4080
Queen Anne's	410-819-4000
Somerset	410-845-4700
St. Mary's	301-880-2700
Talbot	410-819-5850
Washington	240-420-4600
Wicomico	410-713-3500
Worcester	410-219-7830