

NAMI Maryland

What to do in a Psychiatric Crisis in Maryland

07/10

This brochure describes steps to assist a person who is in a 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 the 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 law enforcement officer can file a petition for emergency evaluation for possible involuntary hospitalization 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. If the petitioner 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?

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 or herself, 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.

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| Mobile Crisis Team Numbers: | |
| Anne Arundel | 410-768-5522 |
| Baltimore City | |
| Adult | 410-433-5255 |
| Child/Adolescent | 410-433-5175 |
| Baltimore | 410-931-2214 |
| Frederick | 301-662-2255 |
| Harford | 410-638-5248 |
| Howard | 410-531-6677 |
| Montgomery | 240-777-4000 |
| Prince George's | 301-429-2185 |
| Eastern Shore | 888-407-8018 |

What if there is no mobile crisis team available, and the person refuses to go to the hospital, doctor, or any place where he or she 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 review by a judge. District and circuit court hours are M-F, 8:30 a.m. to 4:30 p.m. Prince George's and Montgomery County, and Baltimore City can handle emergency petitions 24 hours a day, 7 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 police officer 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 two hours, then you may have to call 911. If you call 911, police officers or sheriffs will come and evaluate whether the person meets the emergency petition 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 an 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 emergency petition 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/ccdc013.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 or her medications and some money with him or her 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 an emergency 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 sheriff will find the person in crisis and take the person, 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 six 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 the ER (preferable) or call the ER. Give the ER physician information that relates to the five 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 or her present condition or if the person is otherwise homeless. Tell the ER physician if the treating physician wants to talk to the person. 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 the admission within six 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 the person 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 or her.

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 five days and about nine days in a private psychiatric hospital.) If the person does not meet the standard, he or she 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 him- or herself 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 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.

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District Courts:

Check

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

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| 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 |
| E. 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 | 301-934-5110 |
| Dorchester | 410-901-1420 |
| Frederick | 301-600-2000 |
| Garrett | 301-334-8020 |
| Harford | 410-836-4545 |
| Howard | 410-480-7700 |
| Kent | 410-810-3360 |
| Montgomery | |
| Rockville | 301-563-8800 |
| Silver Spring | 301-563-8500 |
| Prince George's | |
| Hyattsville | 301-298-4200 |
| Upper Marlboro | 301-298-4000 |
| 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 | |
| Snow Hill | 410-219-7830 |
| Ocean City | 410-723-6935 |