



Health Care Agency Behavioral Health Services Policies and Procedures	Section Name:	Information Management
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Chief of Operations Behavioral Health Services	<u>Signature on File</u>	<u>3/7/16</u>

SUBJECT: Use and Processing of the Lanterman-Petris-Short Act (LPS) 5150/5585 Hold Form

PURPOSE:

To establish procedures for the use and processing of the Application for Assessment, Evaluation, and Crisis Intervention or Placement for Evaluation and Treatment, California Department of Health Care Services (DHCS) form 1801 (hereafter referred to as the 5150/5585 hold).

POLICY:

It is the policy of Behavioral Health Services (BHS) that a 5150/5585 hold be written accurately to document the need to detain an individual for psychiatric evaluation and treatment pursuant to Welfare & Institutions Code Sections 5150 and 5585 respectively.

It is the policy of BHS that the need to make appropriately documented corrections and/or amendments to the 5150/5585 hold document will not prevent or delay a consumer from getting the necessary evaluation and treatment when probable cause is documented.

It is the policy of BHS that the availability of only a copy, a fax, or a scan of the 5150/5585 hold will not prevent or delay an individual from being detained and transported in order to receive the necessary evaluation and treatment when probable cause is documented.

SCOPE:

This policy applies to all 5150/5585 holds written by BHS Designated Individuals.

FORM:

[DHCS 1801 Application for Assessment, Evaluation, and Crisis Intervention or Placement for Evaluation and Treatment.](#)

DEFINITIONS:

5150/5585 - Sections of the California Welfare & Institutions Code that authorizes a peace officer, a member of the attending staff, or professional person designated by the county to take an adult/minor into custody for a period of up to 72 hours for assessment, evaluation and crisis intervention, or placement for evaluation and treatment in a Designated Facility if he or she is a danger to self, danger to others, or gravely disabled due to mental health disorder.

5150/5585 hold – DHCS form 1801, *Application for Assessment, Evaluation, and Crisis Intervention or Placement for Evaluation and Treatment* is the form used to document information regarding an individual who meets probable cause to be placed on an involuntary hold.

Designated Facility - a facility that has been designated by the County Board of Supervisors and approved by the State to provide involuntary psychiatric evaluation and treatment to persons who are a danger to self, danger to others, or gravely disabled due to a mental health disorder.

LPS - Lanterman-Petris-Short Act provides the statutory framework for the commitment of individuals with mental health disorders and provides protection for the legal rights of such individuals.

PROCEDURES:

- I. Correction of errors when the author of the hold is present.
 - A. Corrections are made consistent with generally accepted procedures for making changes to medical/legal documents.
 - 1. Deletions are made by lining through the word(s) to be deleted and initialing and dating the deletion.
 - 2. Additions are made by writing the addition in available space and initialing and dating the addition.
- II. A copy, fax, or scan of the original document is sufficient for the purposes of detaining and transporting an individual.
- III. Technical deficiencies
 - A. Occasionally a 5150/5585 hold is found to have a deficiency so that it does not meet every expectation for the content of a 5150/5585 hold. These technical errors, while to be avoided, do not necessarily invalidate the 5150/5585 hold. Examples of these types of deficiencies include, but are not limited to:
 - 1. Failure of the author of the hold to write their name on the upper right-hand corner of the detainment advisement.
 - 2. Failure to check the advisement box.
 - 3. Failure to document good cause for incomplete advisement.
 - 4. Failure of the author to document their position.
 - 5. Failure to document language or modality used to advise the consumer.

6. Failure to document the consumer's address.
 7. Failure of the author to document how the consumer came to their attention.
 8. Failure to check any applicable legal classification.
 9. Failure of the author to document their phone number.
 10. Failure of the author to document their address.
 11. Failure of the author to print their name.
- IV. Designated Facilities have the following options if the type of information noted in III A, above, is missing on the 5150/5585 form, as that information does not necessitate the need for the hold to be re-written.
- A. If the author of the hold is still onsite, ask them to fill-in the missing information and document the addition as above.
 - B. If the author of the hold has left the premises, staff can call the author and obtain the missing information over the phone and make the corrections themselves. Document on the 5150/5585 form and in a chart note that a phone call was made to the author and the additional information regarding the correction/amendment was provided. Add the signature of the person writing the change, and the date of the change onto the form.
 - C. If the author of the hold has left the premises, staff can call the person and ask them to fill-in the missing information and fax the hold back to the facility if the person has fax capability.
 - D. Facilities could admit the person even if they were not able to correct and/or amend the 5150 form.
- V. Designated Facilities may admit the patient without rewriting the hold if the "To" field is left blank. The staff can document in the patient's medical record how the patient came to their attention, write their hospital's name in the "To" section of the 5150/5585 application, and document the addition as in IV B, above.
- VI. Designated Facilities may choose not to rewrite holds that contain strikeouts or additions, or that are a copy/fax/scan of the original. Once designated staff has assessed the individual in person to determine the appropriateness of involuntary detention pursuant to Welfare and Institutions Code Section 5151, and the patient meets criteria for admission, the facility could admit the patient regardless of the strikeouts or additions.

- VII. Designated Facilities should reassess and rewrite the hold (when the assessment substantiates probable cause) if the original author of the hold failed to substantiate probable cause, if the date/time is missing, or if the author's signature is missing. Staff must base the new hold on their own re-evaluation of the patient's need for involuntary detention and use the date/time of the original hold if known. Please note that if the date/time is missing, this information may be corrected and/or amended by speaking with the author of the hold over the phone and documented as in IV B, above.