

POLICY AND PROCEDURE

DEPARTMENT: Medical Management-Behavioral Health	DOCUMENT NAME: Involuntary Psychiatric Care
PAGE: 1 of 4	REPLACES DOCUMENT:
APPROVED DATE: 7/14/2016	RETIRED:
EFFECTIVE DATE: 06/2016	REVIEWED/REVISED: 7/14/2016, 6/28/2017, 1/2018, 5/10/2018, 12/17/2018
PRODUCT TYPE: Medicaid, OHP	REFERENCE NUMBER: OR.MM.BH.112

SCOPE: Trillium Utilization Management and Behavioral Health staff

PURPOSE: To ensure Trillium Community Health Plan (Trillium) provides Psychiatric Care as outlined in our contract with Oregon Health Authority (OHA) and Oregon Administrative Rules (OAR).

POLICY:

1. Trillium makes reasonable effort to provide covered services on a voluntary basis consistent with current Declaration for Mental Health Treatment in lieu of involuntary treatment.
2. Trillium only uses psychiatric facilities certified by the Oregon Health Authority (OHA).

PROCEDURE:

1. Emergency Psychiatric Holds

1.1. Statement Required

1.1.1. A Trillium member may be held by an independent practitioner for transportation to a treatment facility for up to 12 hours in a health care facility licensed under Oregon Revised Statute (ORS) Chapter 441 and approved by the OHA if:

1.1.1.1. The licensed independent practitioner believes the member is dangerous to self or to any other person and needs emergency care or treatment for mental illness;

1.1.1.2. The licensed independent practitioner is not related to the member by blood or marriage; and,

1.1.1.3. A licensed independent practitioner with admitting privileges at the receiving facility consents to the transporting.

1.1.2. Before transporting the member, the licensed independent practitioner shall prepare a written statement that:

1.1.2.1. The licensed independent practitioner has examined the person within the preceding 12 hours;

1.1.2.2. A licensed independent practitioner with admitting privileges at the receiving facility has consented to the transporting of the person for examination and admission if appropriate; and,

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1.1.2.3. The licensed independent practitioner believes the member is dangerous to self or to any other person and needs emergency care or treatment for mental illness.

1.1.3. The written statement authorizes a peace officer, an individual authorized under ORS 426.233 or the designee of a community mental health program director to transport a person to the treatment facility indicated on the statement.

1.2. Emergency admission; notice; limit of hold.

1.2.1. If a licensed independent practitioner believes a member who is brought to a hospital or nonhospital facility by a peace officer or by an individual authorized under ORS 426.233, or believes a member who is at a hospital or nonhospital facility, is dangerous to self or to any other person and needs emergency care or treatment for mental illness, and the licensed independent practitioner is not related to the member by blood or marriage, the licensed independent practitioner may do one of the following:

1.2.1.1. Detain the member and cause the member to be admitted or, if the member is already admitted, cause the member to be retained in a hospital where the licensed independent practitioner has admitting privileges or is on staff.

1.2.1.2. Approve the member for emergency care or treatment at a nonhospital facility approved by the authority.

1.2.2. When approving a member for emergency care or treatment at a nonhospital facility, the licensed independent practitioner shall notify immediately the community mental health program director in the county where the member was taken into custody and maintain the member, if the member is being held at a hospital, for as long as is feasible given the needs of the member for mental or physical health or safety. However, under no circumstances may the member be held for longer than five judicial days.

2. Civil Commitment

2.1. Trillium assures any involuntary treatment is in accordance with administrative rules and statutes by coordinating with Community Mental Health Program (CMHP) Director.

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2.2. Trillium works with CMHP Director in assigning civilly committed members to any placement and participates in circuit court hearings related to planned placements, if applicable.

3. Long term Psychiatric Care

3.1. Trillium requests a LTPC determination from OHA LTPC reviewer, for members over age (eighteen) 18 with no significant nursing care needs due to Axis III disorder, when state facility level care is appropriate.

REFERENCES	
OAR	309-033-0200 through 309-033-0340
OAR	309-033-0400 through 309-033-0440
ORS	426
ORS	426.130
2018 CCO Contract	Exhibit b, Part 2, §4.h.1-6;Mental Health Conditions that may Result in Involuntary Psychiatric Care Exhibit b, Part 2, §4.i.2.h Covered Services for Members Receiving LTPC
2018 OHP Contract	Exhibit b, Part 2, §4.h.1-5;Mental Health Conditions that may Result in Involuntary Psychiatric Care
Lane County Civil Commitment Policy & Procedure 8/17/17 Category Title FC – Civil Commitment Investigation	
Related Materials:	

ATTACHMENTS:

DEFINITIONS:

REVISION LOG

REVISION	DATE
Revised to meet 2017 CCO Contract Requirements:	6/28/2017

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- §1.1.1 Revised ORS chapter reference - Added CCO Contract references	
Updated header to include OHP and 2018 CCO and OHP contract reference section	1/2018
Updated to include in "Reference" Section "Lane County Civil Commitment Policy & Procedure 8/17/17 Category Title FC – Civil Commitment Investigation	5/10/2018
Annual Review in Archer. No changes.	12/17/2018

POLICY AND PROCEDURE APPROVAL

The electronic approval retained in RSA Archer, the Company's P&P management software, is considered equivalent to a signature.