

FREQUENTLY ASKED QUESTIONS - concerning the Mental Health Procedures ACT

What is the Mental Health Procedure Act?

It is the statute concerning the voluntary and involuntary treatment of seriously mentally ill individuals in Pennsylvania. It applies to all psychiatric hospitalization in the state.

What is meant by a “201”?

Section 201 is that part of the Act relating to voluntary consent for a psychiatric examination and treatment. Anyone 14 years of age or older can consent to inpatient treatment. Admission is based on the determination of a psychiatrist that this level of care is needed.

What is meant by a “302”?

Section 302 is the part of the Act relating without consent for observed behavior constituting a clear and present danger to the individual and/or others. The behavior must have occurred in the past 30 days. Under section 302 (a) any responsible party can petition for an involuntary evaluation by stating that an individual may be severely mentally disabled.

What condition may result in an involuntary hospitalization?

Being severely mentally disabled and posing a clear present danger to yourself or to others. This may include actual or attempted substantial self-injury, attempted or inflicted serious bodily harm to another, acting in a manner that indicates that you may not be able to take care of yourself without assistance, or attempting suicide or showing high risk of suicide.

What is a warrant?

Reports that someone is at risk because of mental illness go to the County Mental Health Delegate. If the Delegate determines that the behavior meets the Act's criteria a warrant is issued. This authorizes a representative of the County Mental Health Administrator or the police to take someone to the Emergency Department for psychiatric examination. No arrest or criminal charges are involved.

Who is the County Mental Health Delegate?

The authority for Section 302 determinations rests with the County Mental Health Administrator. Greene County Mental Health Administrator has assigned Mental Health Delegate activities to be conducted through the Emergency Department of our community hospital. The Delegates assure fair, correct, and appropriate administration of the procedure for an involuntary admission. To speak with a Mental Health Delegate please call (724) 627-2602.

What is the responsibility of a petitioner?

An individual who files a petition must truthfully describe in writing the behavior that they witnessed in the past 30 days that supports their belief that an individual is clear and present danger to herself/himself or others. The petitioner may be asked to attend a hearing to testify about the information that they gave about the individual's behavior.

Does filing a petition result in an individual's hospitalization?

The petition may lead to a psychiatric examination if the Delegates feels that one is needed. Hospitalization is decided by examining psychiatrist based on requirements of the Act, the information in the petition, and an examination of the individual. Many who receive an examination are helped by counseling or other services without hospitalization.

Can the police or a physician get a psychiatric examination for a mentally ill individual?

Under Section 302(b) police officer or physicians can take an at risk individual to a psychiatric facility without a warrant. This must be based upon personal observation that an individual's behavior indicates that he or she could be severely mentally disabled and pose a clear and present danger to herself/himself. Admission depends a psychiatrist's examination.

What type of hospital may provide involuntary treatment?

The Act authorizes the County Administrator to designate one or more providers of involuntary hospitalization. This may be provided by a psychiatrist hospital or a psychiatric unit at a general hospital.

How long may an involuntary hospitalization last?

Section 302 provides for an involuntary admission for a period not to exceed 120 hours. Section 303 provides for an extension of an involuntary treatment (inpatient or outpatient) for up to 20 days. The extension is determined on the basis of a hearing with the Mental Health Review Officer, an official of the Court of Common Pleas, who can order extended care.

What if the patient continues to need involuntary care?

Section 304 (b) provides for extended treatment of an individual subject to a prior Section 303 ruling. Involuntary treatment (inpatient or outpatient) may be extended for up to 90 days. Section 305 provides for extensions up to 180 days.

What if an individual does not comply with outpatient treatment?

Outpatient treatment such as medication, individual or group counseling, or other therapy may be needed. If an individual does not comply with the mandated treatment (one example is noncompliance with medications), Section 306 of the Act provides that he or she may be mandated to have a hearing to determine the need for treatment in a more restrictive setting.

Mental health hearings are informal conferences where the judge or mental health review officer shall inform the patient of the nature of the proceedings. Information relevant to whether the person is severely mentally disabled and in need of treatment shall be reviewed including the reasons that continued involuntary treatment is considered necessary.

For additional information check out the following links:

www.parecovery.org – This is also the link to the Olmstead Plan for Greene County.

www.samhsa.gov

www.namikeystonepa.org

www.VBH-PA.com

