

## **Voluntary and Involuntary Commitment of Persons During a Mental Health Crisis**

When an individual is experiencing a mental health crisis the following service options are available to them:

- Telephone and mobile crisis services are available 24 hours a day, seven days a week by calling 1-800-417-9460. A mobile crisis team can be sent to assist the individual and/or family with the crisis situation.
- Voluntary admission (201) to a psychiatric unit in a community hospital.
- Involuntary evaluation and treatment (302) to a psychiatric unit in a community hospital.

### **Voluntary Commitment (“201”)**

A voluntary commitment may be appropriate for anyone 14 years of age or older who is experiencing a mental health crisis and feels that an in-patient stay is necessary for his/her safety. A person seeking treatment under Section 201 may arrive at an emergency room for an evaluation to determine the level of treatment needed. There are no hearings required during this admission and no information is submitted to the state police regarding the person’s psychiatric treatment. At the time of admission, the individual will be asked to agree to give 72-hour written notice before leaving the facility if they should decide to leave against medical advice. If in-patient care is recommended, the individual must sign a 201 form and assist in developing a treatment plan with the treating facility.

Adolescents under the age of 14 years may be admitted on a voluntary admission by a parent or legal guardian. In addition, parents or legal guardians are able to sign a 201 for an adolescent under the age of 18 years, but only if the adolescent is already in an emergency room and it is recommended by a physician.

There is no time limit on a voluntary in-patient stay. The individual may stay as long as he/she and the medical staff believes there is a continued need for in-patient treatment.

For a list of community hospitals that have psychiatric units – [MH Hospital List.docx](#)

---

### **Involuntary Commitment (“302”)**

An involuntary commitment is an application for emergency evaluation and treatment for persons who are "dangerous" to themselves or others due to a mental illness. Dangerousness is determined based on the following criteria:

- Danger to self shall be shown by establishing that within the previous 30 days:

- the person would be unable without the care, supervision and assistance of others to satisfy his/her need for nourishment, personal or medical care, shelter or self protection or safety and that death or serious physical debilitation would occur within 30 days unless treatment was provided;
  - the person has attempted suicide or the person has made threats to commit suicide and committed acts in furtherance of the threats; or
  - the person has mutilated himself/herself or the person has made threats to mutilate and committed acts in furtherance of the threats.
- 
- Danger to others shall be shown by establishing that within the previous 30 days the person has inflicted or attempted to inflict serious bodily harm on another or has threatened serious bodily harm and has committed acts in furtherance of the threat to commit harm to another.

Because this commitment is involuntary it may require the assistance of family, crisis professionals, police, ambulance and any other person involved in the crisis.

In every 302, a petitioner is required to sign the 302 and appear at a hearing, if necessary. A petitioner must have first-hand knowledge of the dangerous conduct and be willing to go to an emergency room.

The petitioner may be required to testify at a hearing regarding the dangerous conduct that he or she witnessed. A police officer or a doctor has the authority to initiate a 302 without prior authorization from the mental health delegate. The mental health delegate can be reached by calling (724) 627-2606.

Once a 302 is authorized, the individual will be taken to an emergency room by the police or ambulance for an evaluation by a physician to determine if they need to be admitted for involuntary psychiatric inpatient treatment. If the individual is admitted they may be kept no longer than 120 hours unless a petition for a 303, Extended Emergency Involuntary Treatment, is filed by the hospital.

---

### **Extended Emergency Involuntary Treatment (“303”)**

If the doctor determines that additional inpatient days are needed the hospital will file a 303 Commitment Petition with the Courts for Extended Emergency Involuntary Treatment. If additional inpatient days are not needed, the individual will be discharged from the hospital within 120 hours. A 303 hearing is held at the treating hospital to determine if further treatment beyond the initial 120 hours is necessary.

Generally, the 302 petitioner is required to attend the 303 hearing to validate the dangerous conduct alleged in his or her written statement. Alternately, any responsible person who has been

involved in the emergency commitment process may act as petitioner. The treating psychiatrist must testify regarding a serious mental illness and the need for further treatment.

At the hearing the consumer is represented by defense counsel (which may be a Public Defender); the hospital (or the hospital via the county mental health program) is represented by an attorney from the County Law Department, and the Mental Health Review Officer acts as the judge during this proceeding. If the Mental Health Review Officer finds sufficient dangerous conduct and the need for further treatment, he or she can order further treatment for a period not to exceed 20 days.

---

### **Longer-Term In-patient Treatment (“304b”)**

When a doctor determines that the individual is in need of continued involuntary in-patient treatment beyond the 20 days authorized by the 303, a 304b, Longer-Term Inpatient Treatment, is considered. The hospital must file a petition and request another hearing. Testimony is provided by the treating psychiatrist stating that the patient is still suffering from a severe mental illness and needs further treatment. The mental health review officer can order further treatment for a period not to exceed an additional 90 days.

### **Extended Long-Term Treatment (“305”)**

When treatment beyond the additional 90 days authorized by the 304b seems necessary a 305, Extended Long-Term Treatment, is considered. A 305 hearing also requires the treating psychiatrist to testify about the consumer’s mental health status at which time the mental health review officer can order treatment for a period not to exceed an additional 180 days.

---

### **Notes**

Act 77 (Mental Health Procedures Act-Omnibus Amendments Act of Jul. 2, 1996, P.L. 481) Amended the Mental Health Procedures Act of 1976 and requires all counties to submit to the Pennsylvania State Police the names of all individuals who have been involuntarily committed to inpatient treatment. This Act prohibits anyone committed under Sections 302, 303 or 304 to possess, use, manufacture, control, sell or transfer firearms. The Pennsylvania law pertaining to mental health voluntary and involuntary commitments may be found at 055 Pa. Code § 5100.71-90a.

While voluntary commitments are limited to those individuals 14 years of age and older (with the exception of adolescents committed by a parent or guardian per physician recommendation from an emergency room), involuntary commitments are not limited to any age group.

Patient rights are provided to all consumers upon admission. A patient has the right to an appeal at each level of the involuntary commitment process.

If you have any questions about the voluntary/involuntary commitment process or need information about any other behavioral health services, please call Greene County Mental Health Program at (724) 852-5276.