



DEPARTMENT OF
HEALTH AND HUMAN SERVICES

Promoting and protecting health, well-being, self-sufficiency, and safety of all in Marin County.



July 17, 2018

Board of Supervisors
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SUBJECT: Department of Health and Human Services, Division of Behavioral Health and Recovery Services and the Office of the Public Guardian requests approval of resolution authorizing the use of an additional thirty (30) day involuntary psychiatric hold under Welfare and Institutions Code §§ 5270.10 – 5270.65.

Dear Supervisors:

RECOMMENDATION:

1. Authorize President to adopt resolution authorizing the use of an additional thirty (30) day involuntary psychiatric hold under Welfare and Institutions Code §§ 5270.10 – 5270.65.

SUMMARY: The Lanterman-Petris-Short (LPS) Act, Welfare and Institutions (W & I) Code §§ 5000-8000, mandates that a mentally disabled person requiring treatment be treated in the least restrictive setting and be afforded certain rights, including court hearings, if detained involuntarily. The LPS Act also sets criteria for who can be placed into involuntary care and establishes limits on the duration of involuntary holds.

Individuals deemed to be in serious need of mental health treatment may be involuntarily admitted to a facility, such as Marin County's Crisis Stabilization Unit, for evaluation and treatment on a 72-hour hold (5150 hold) (W & I Code §§ 5150, *et. seq.*). If the individual is unwilling or unable to remain voluntarily and further intensive treatment is indicated, that individual can be placed on an additional 14-day hold (5250 hold) (W & I Code §§ 5250, *et. seq.*). There are instances in which the 5150 and 5250 holds do not provide sufficient time for facilities to complete a thorough assessment, achieve patient stabilization, and allow for a longer treatment period.

Welfare and Institutions Code §§ 5270.10 - 5270.65 allow individuals who have already been placed on 5150 and 5250 holds to be held for an additional 30 days of intensive treatment (5270 hold), resulting in a total of 47 days of possible treatment including the initial 72-hour and subsequent 14-day holds. A 5270 hold would only be used when necessary to complete a thorough assessment, achieve patient stabilization, and allow for a longer treatment period.

Your Board's approval of the proposed resolution would authorize the use of an additional 30-day involuntary psychiatric hold without first obtaining Temporary

Conservatorship. If facilities were able to hold certain patients for an additional 30 days, it is anticipated that the number of institutional placements would ultimately decrease, as would the number of conservatorships established.

COMMUNITY BENEFITS: The use of a 5270 hold better serves the needs and interests of the individual receiving treatment, provides additional time for the appropriate level of intensive treatment, and avoids the stigma and restrictions of a conservatorship.

FISCAL IMPACT: There is no fiscal component associated with the adoption of the resolution.

Reviewed By:	County Administrator	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
	Department of Finance	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
	County Counsel	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
	Human Resources	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>

Respectfully submitted,

Grant Nash Colfax, MD
Director