

Civil Commitment of Adults and Juveniles in Virginia: A Review of the Data

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Behavioral Health Care Subcommittee

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1

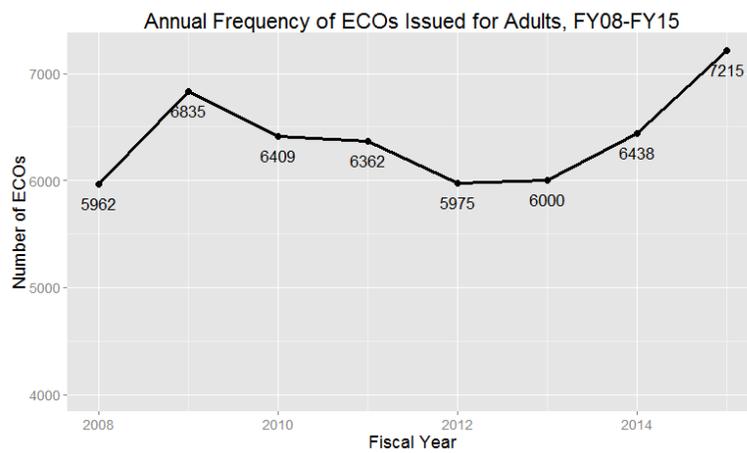
Overview

- Civil Commitment of Adults: FY2010-2015
- Civil Commitment of Juveniles
 - Data from the Supreme Court
 - ILPPP Survey of Hospitals: Progress Report
 - Comments on Self-Admission of Minors

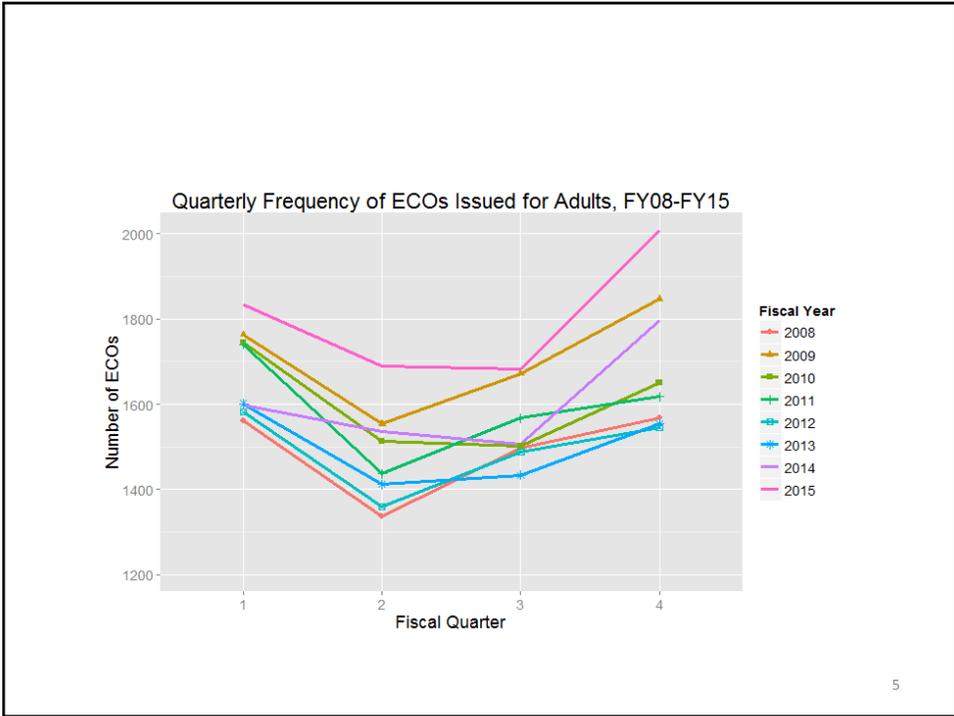
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Data on Civil Commitment of Adults

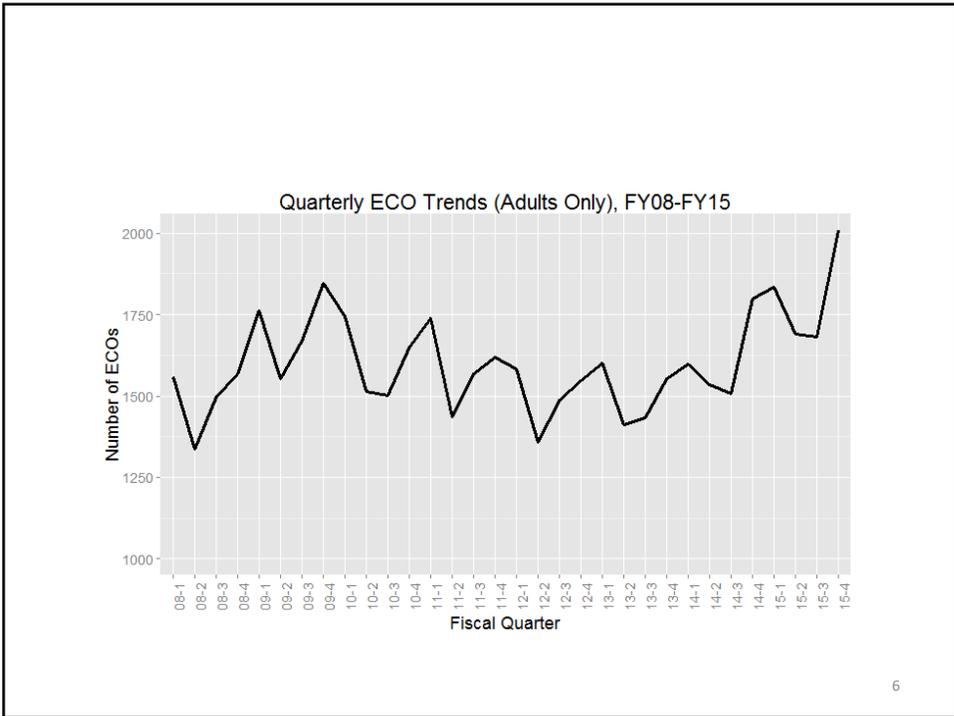
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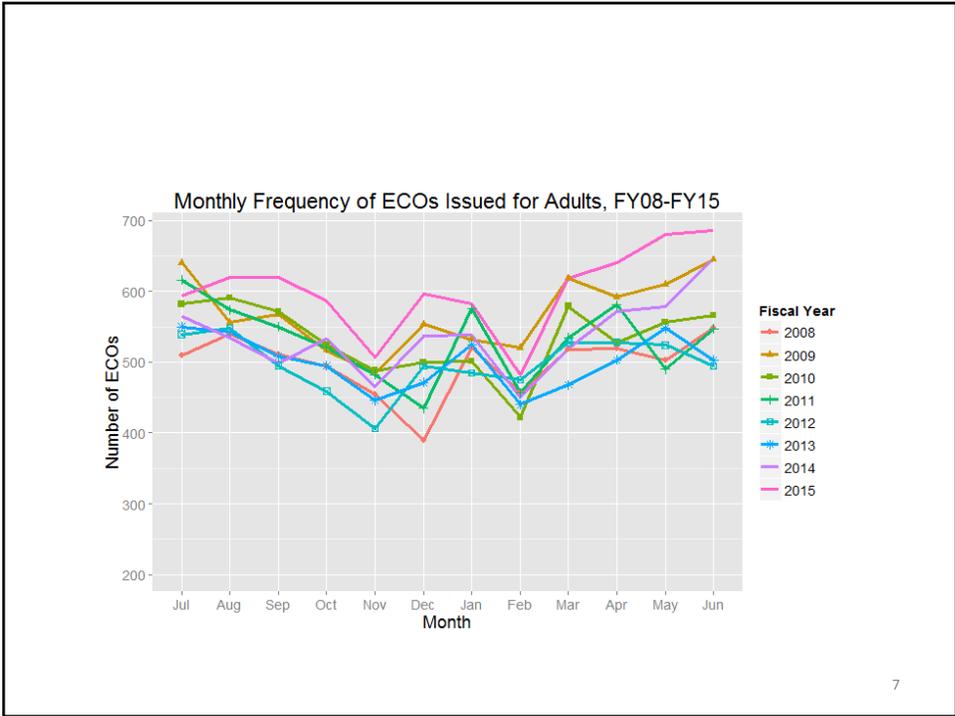
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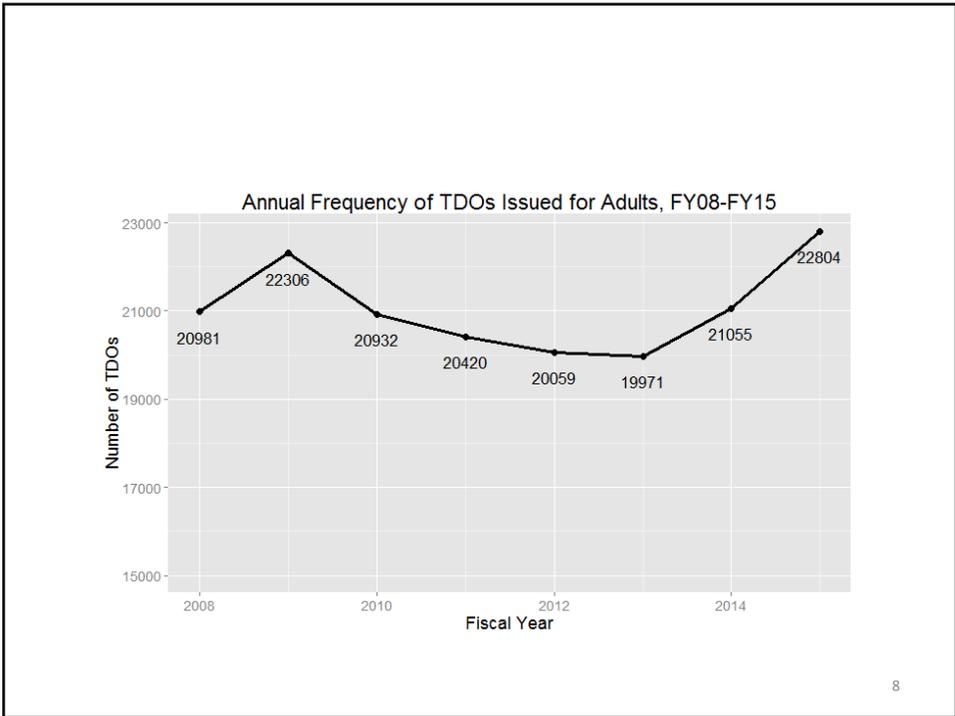
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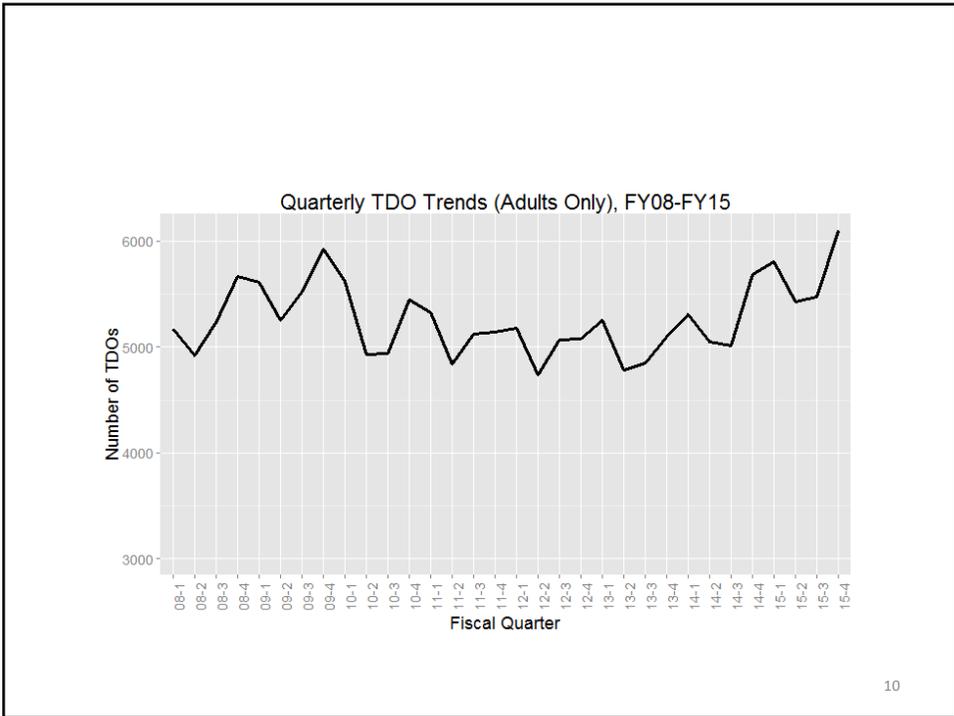
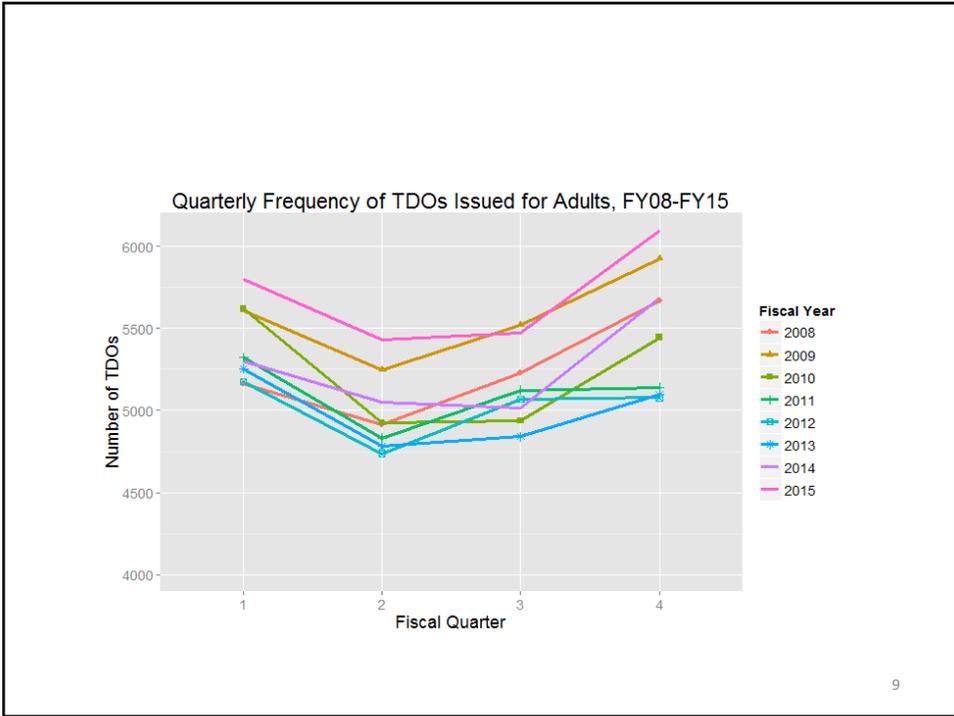
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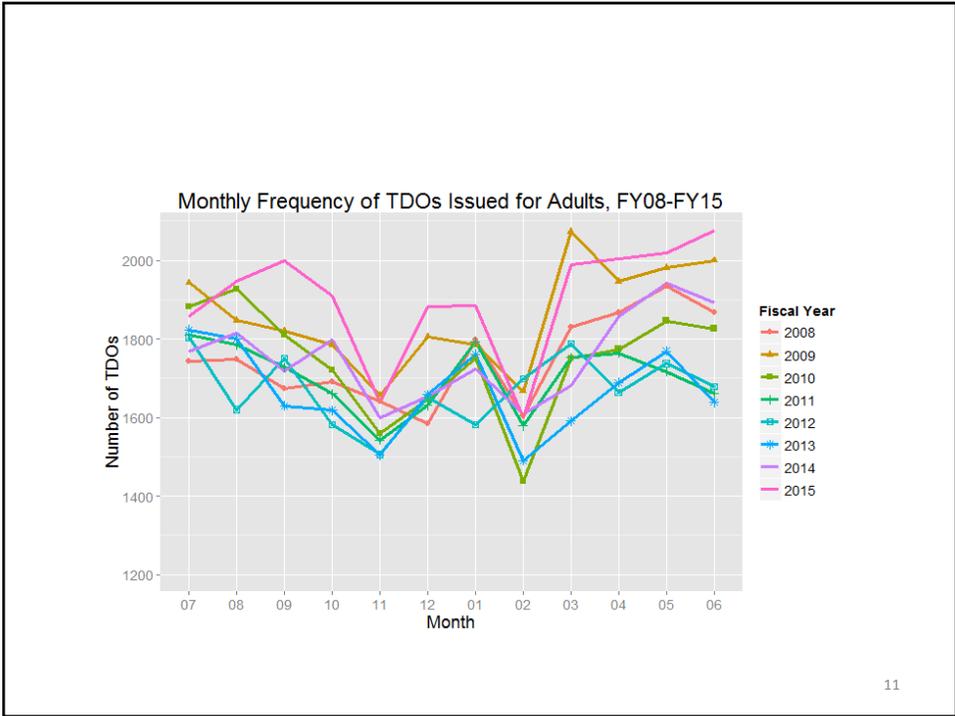


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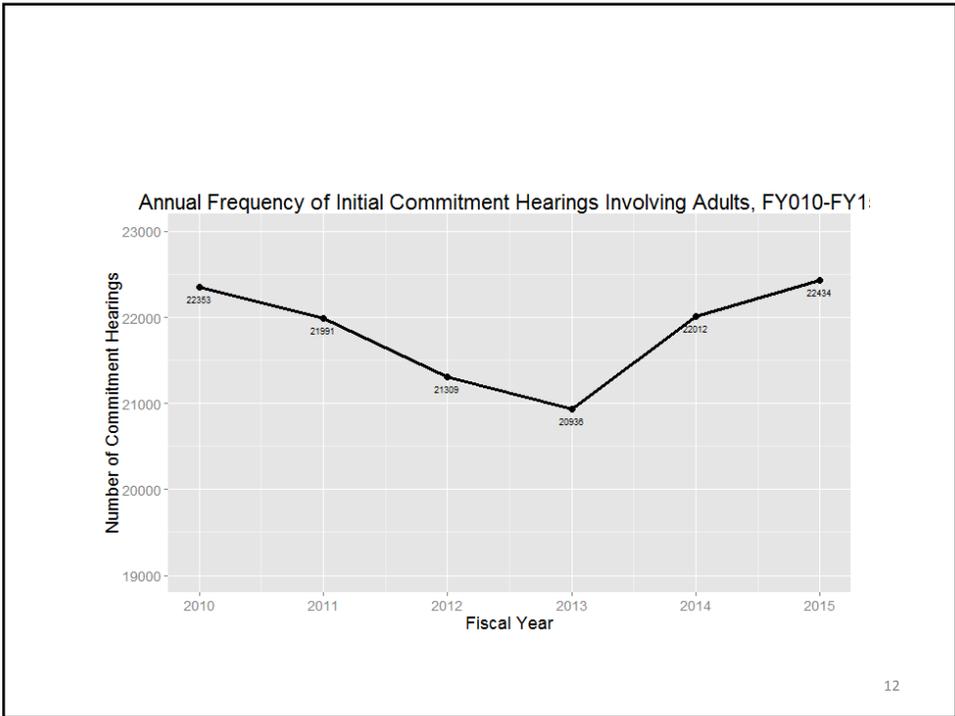


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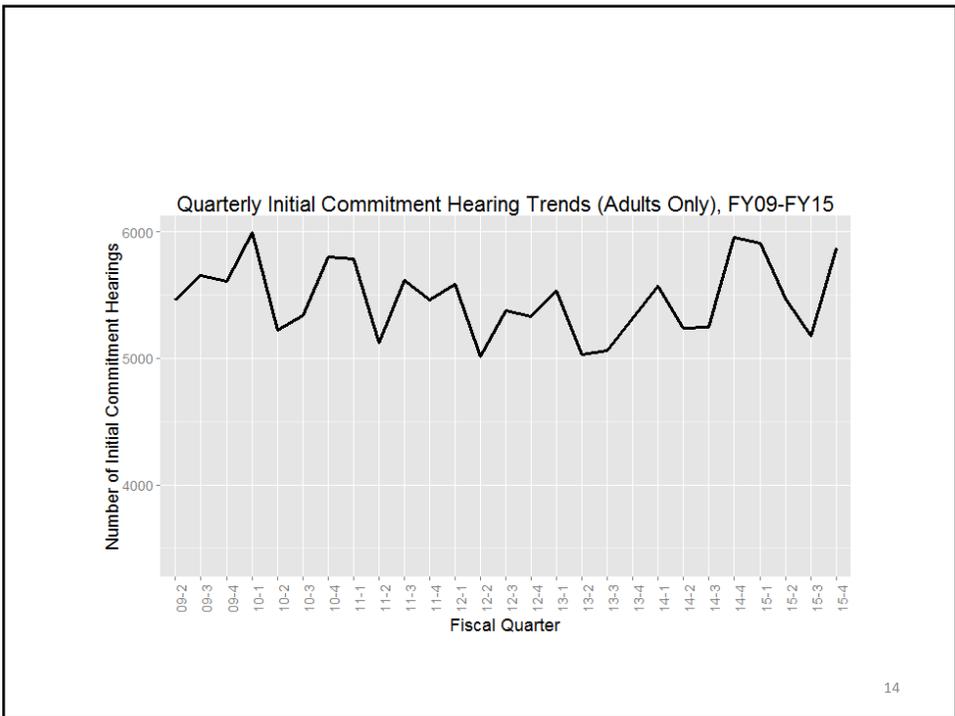
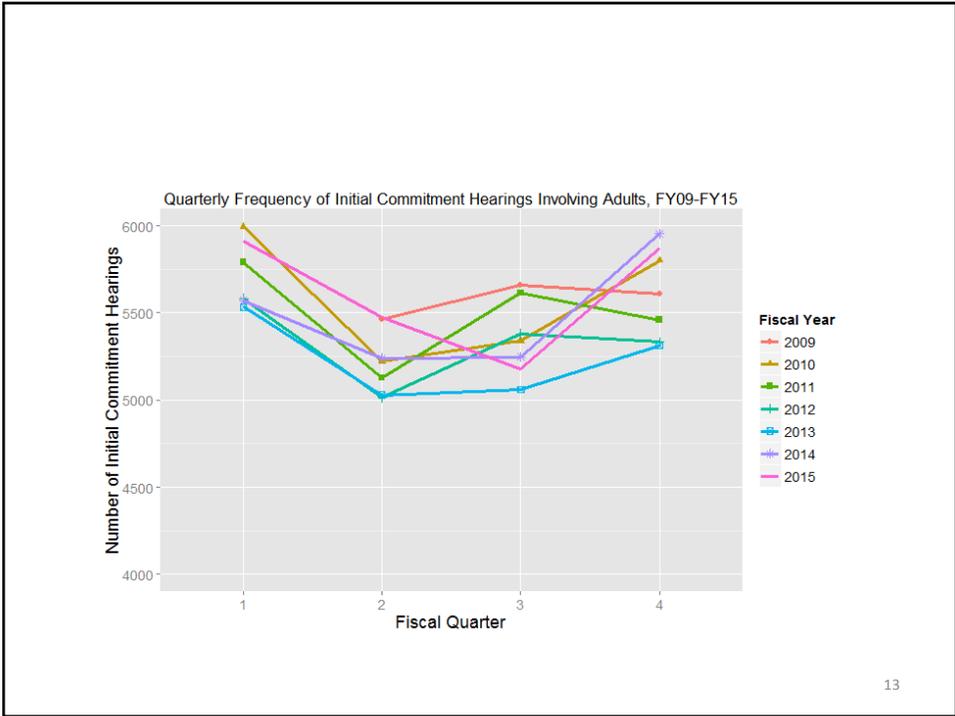


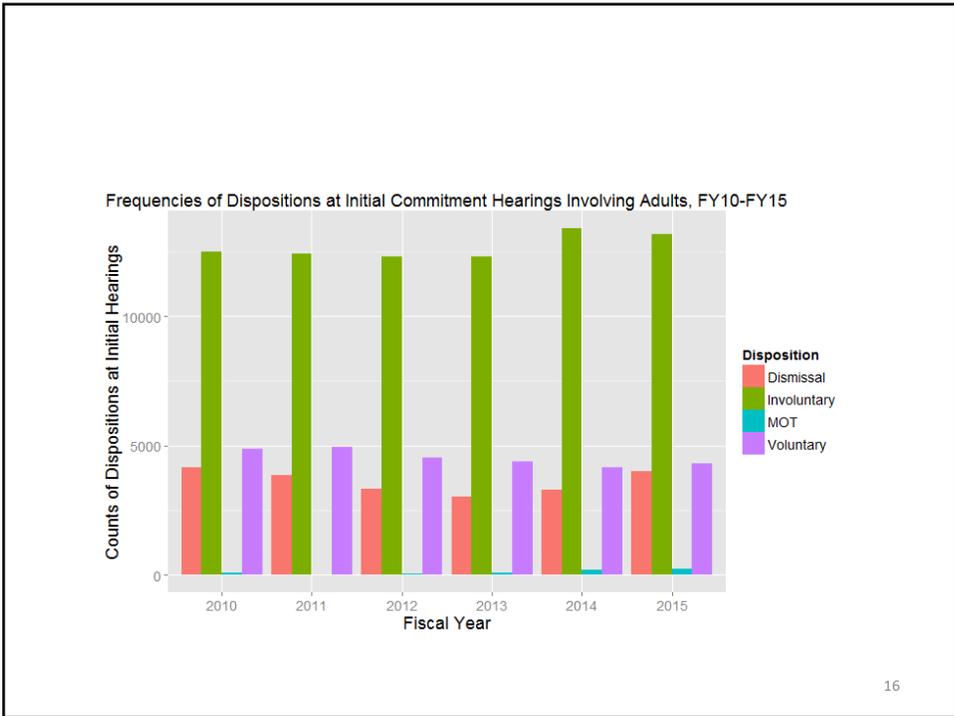
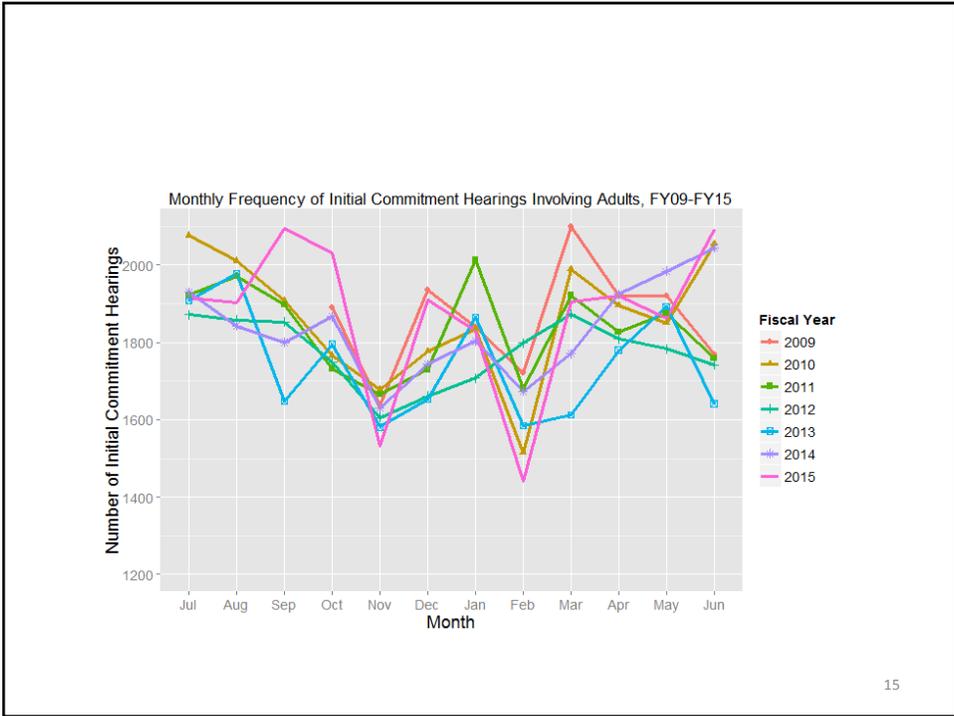


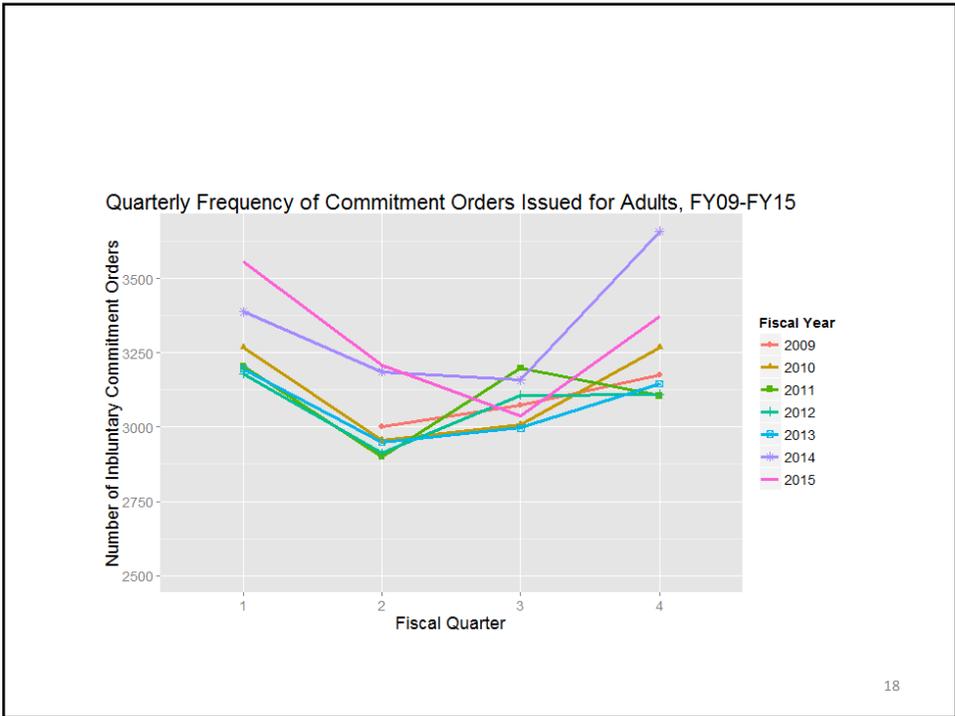
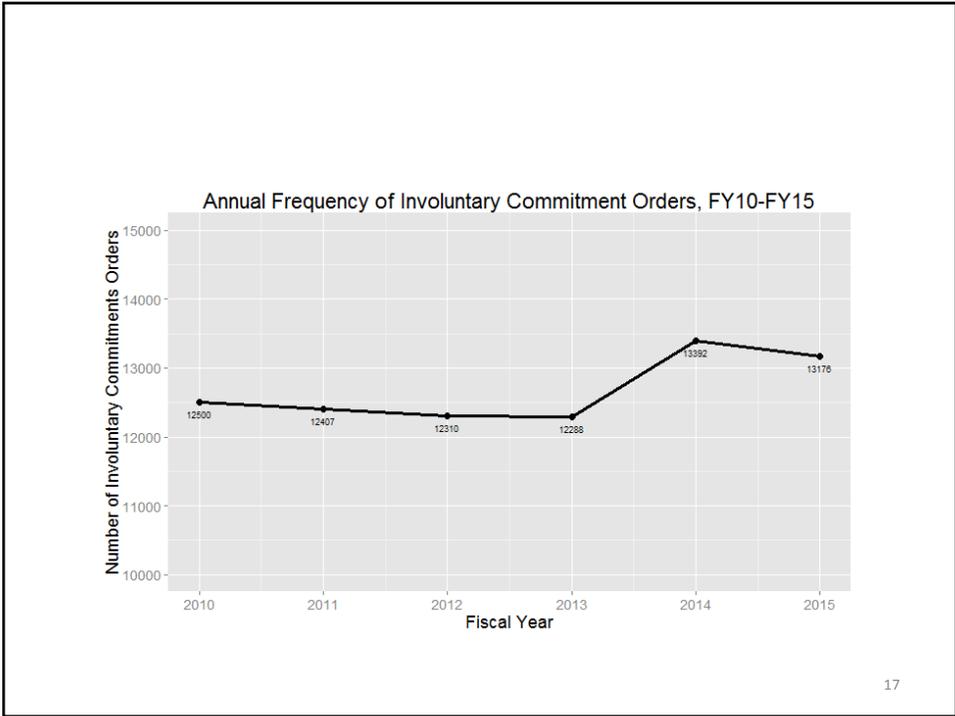
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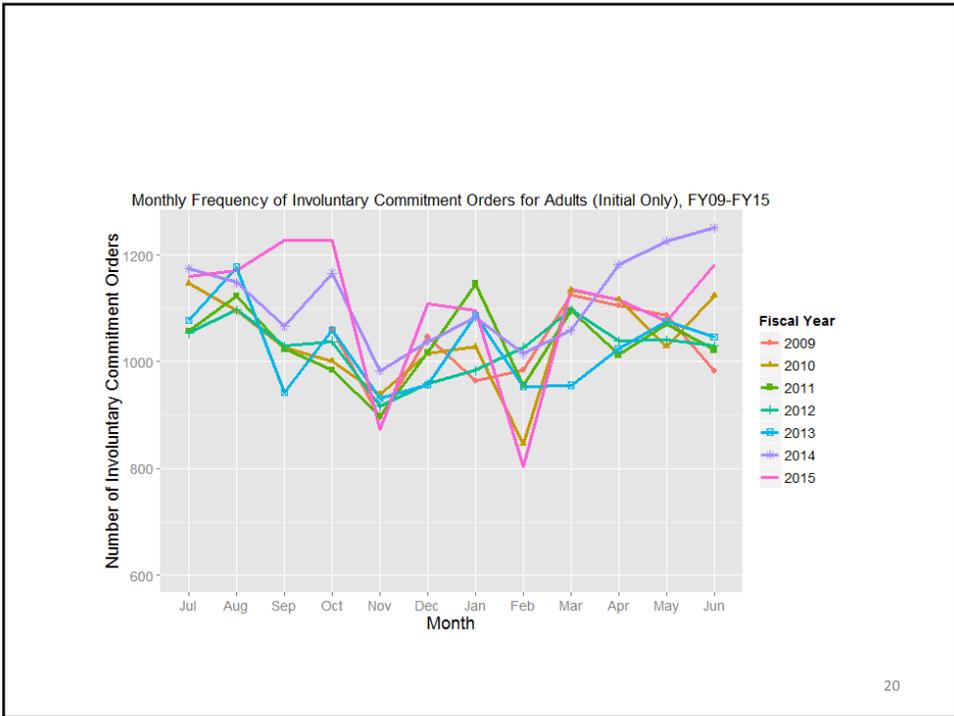
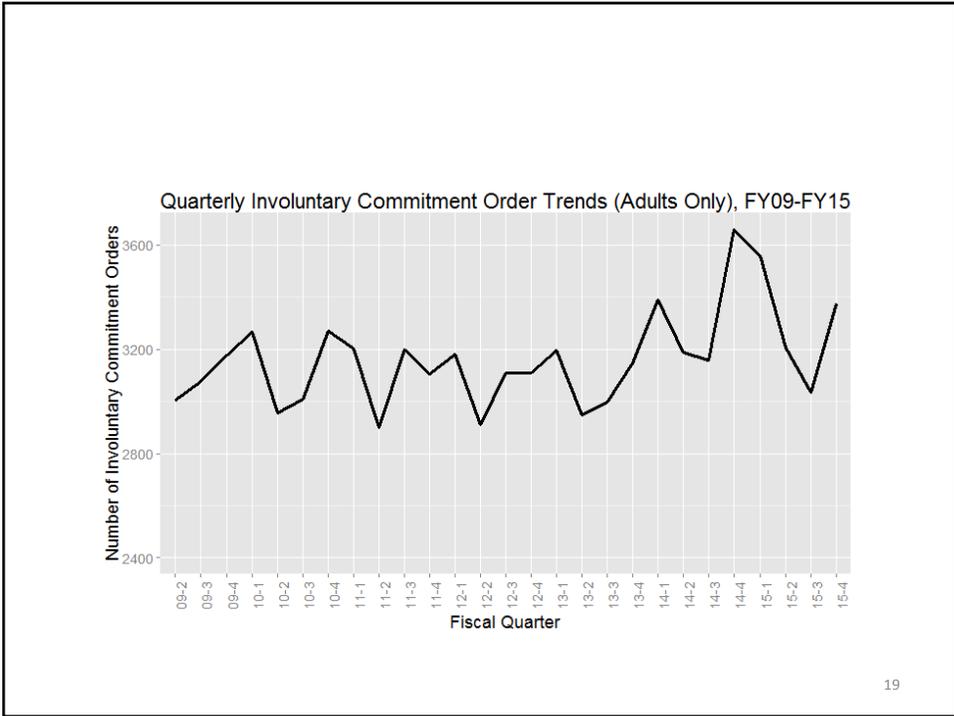


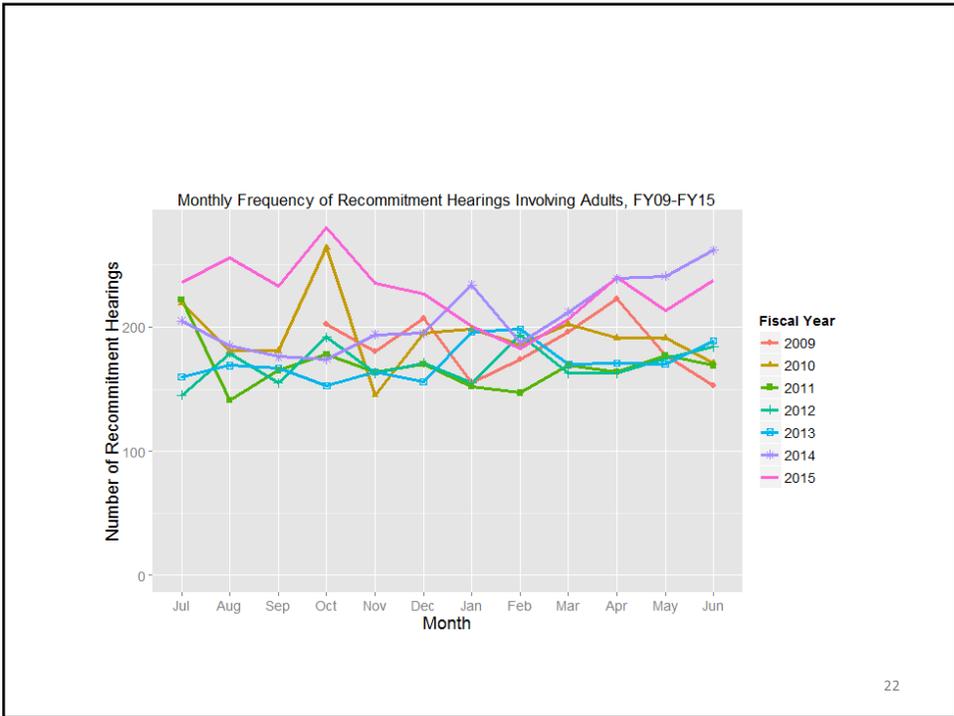
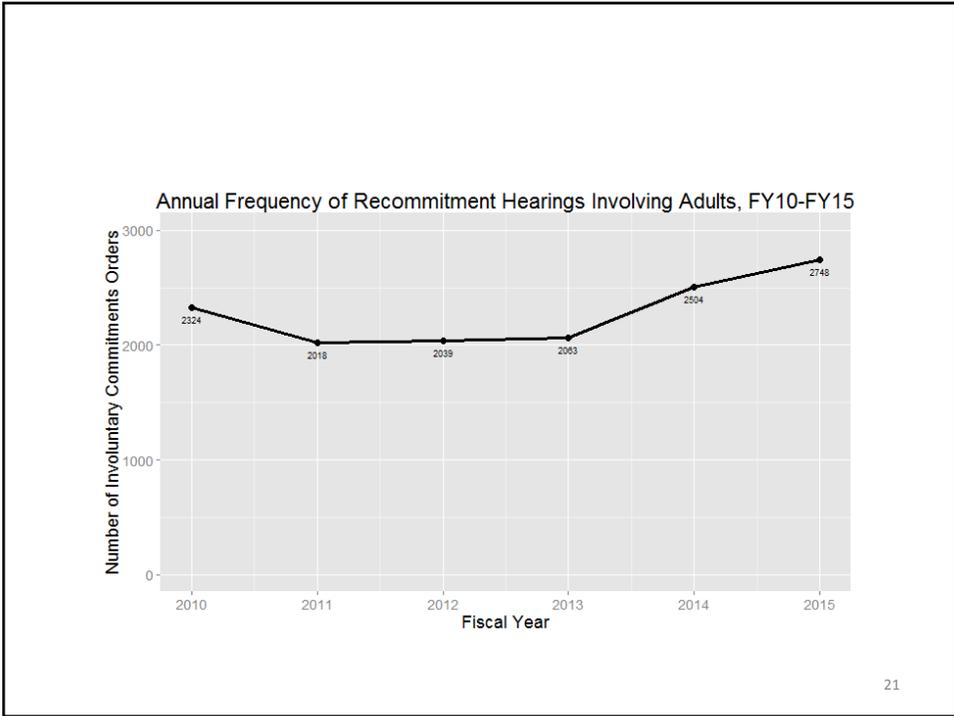
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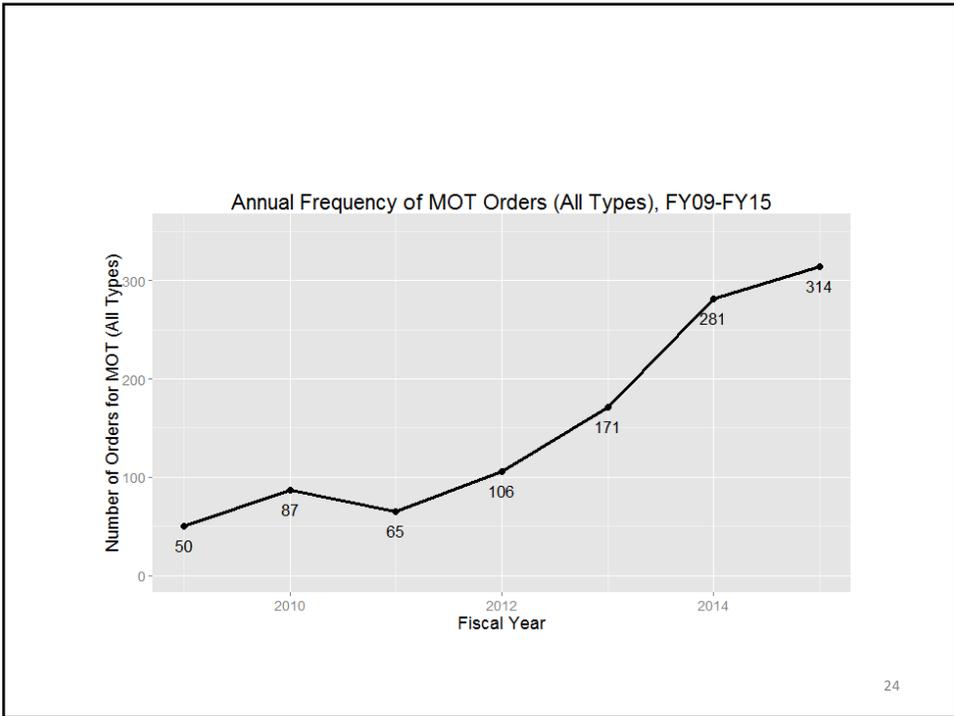
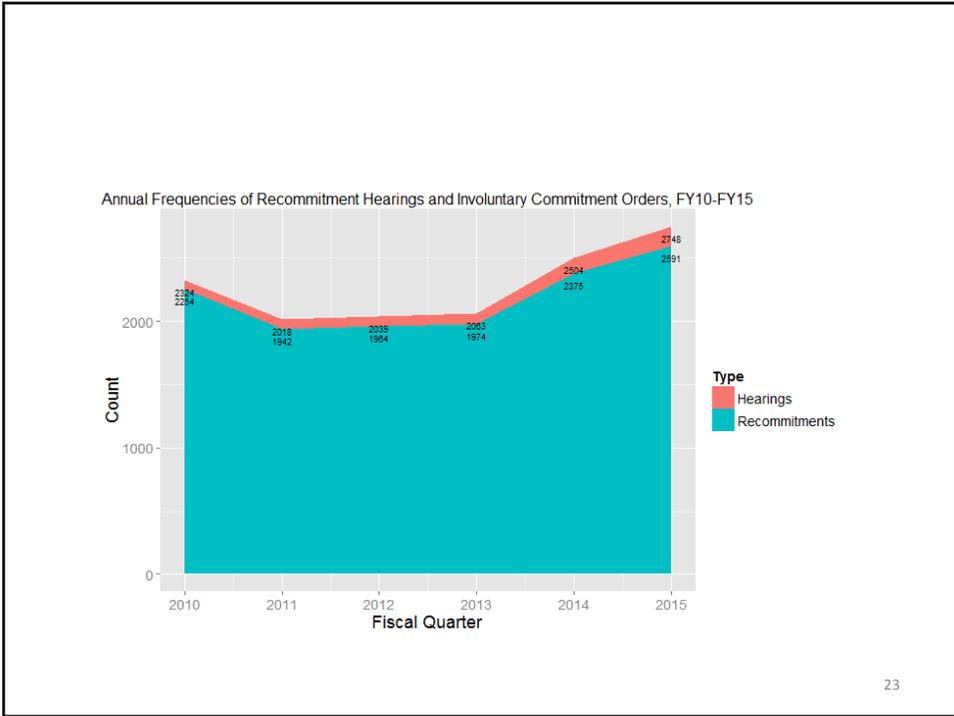


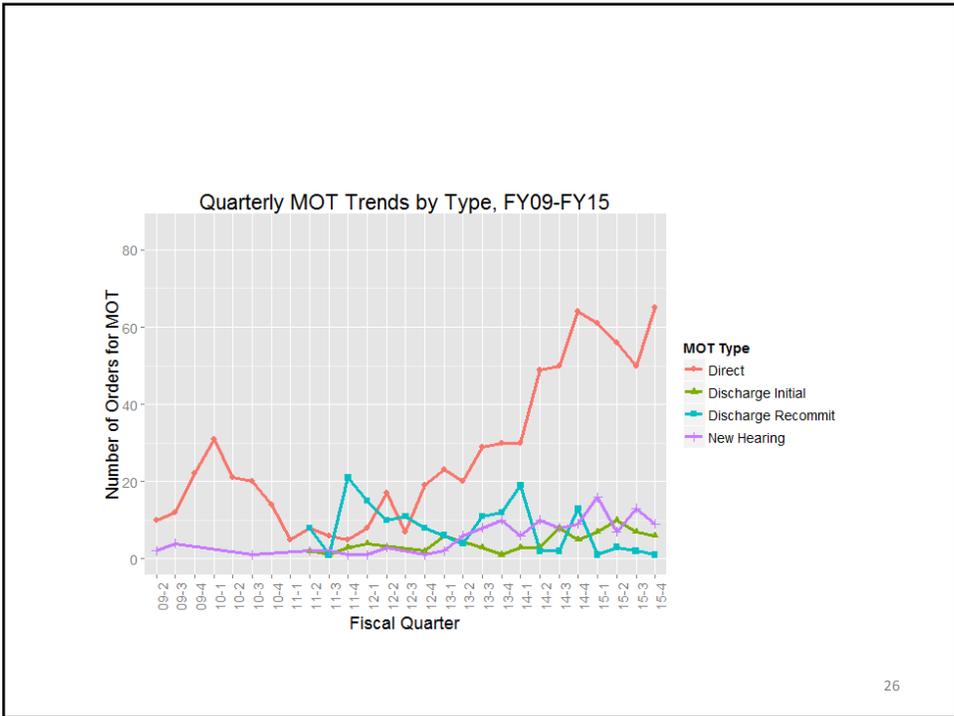
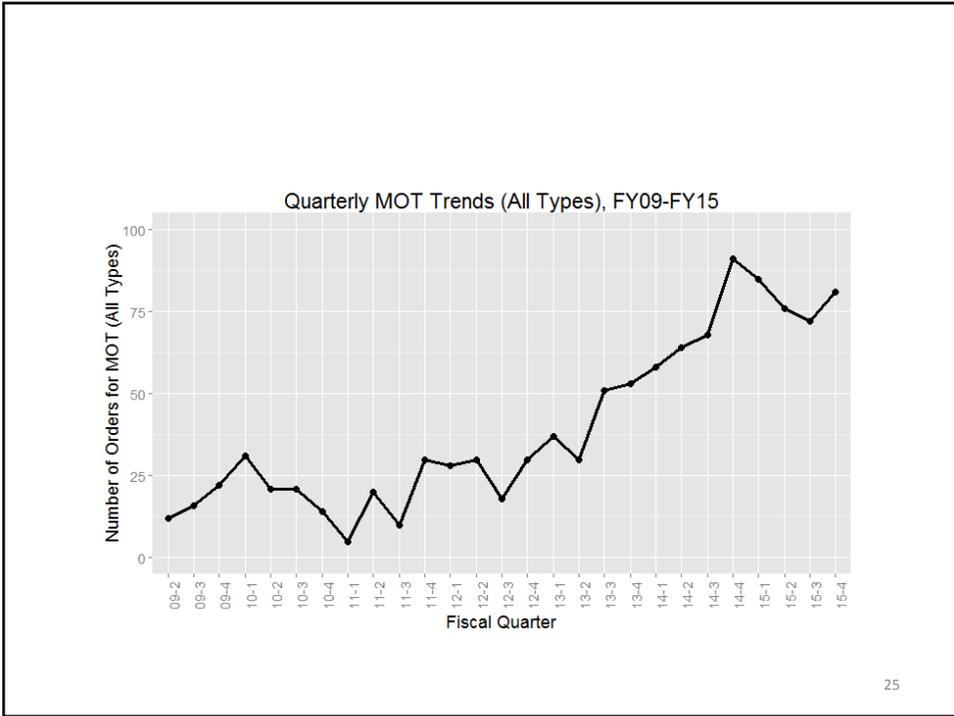


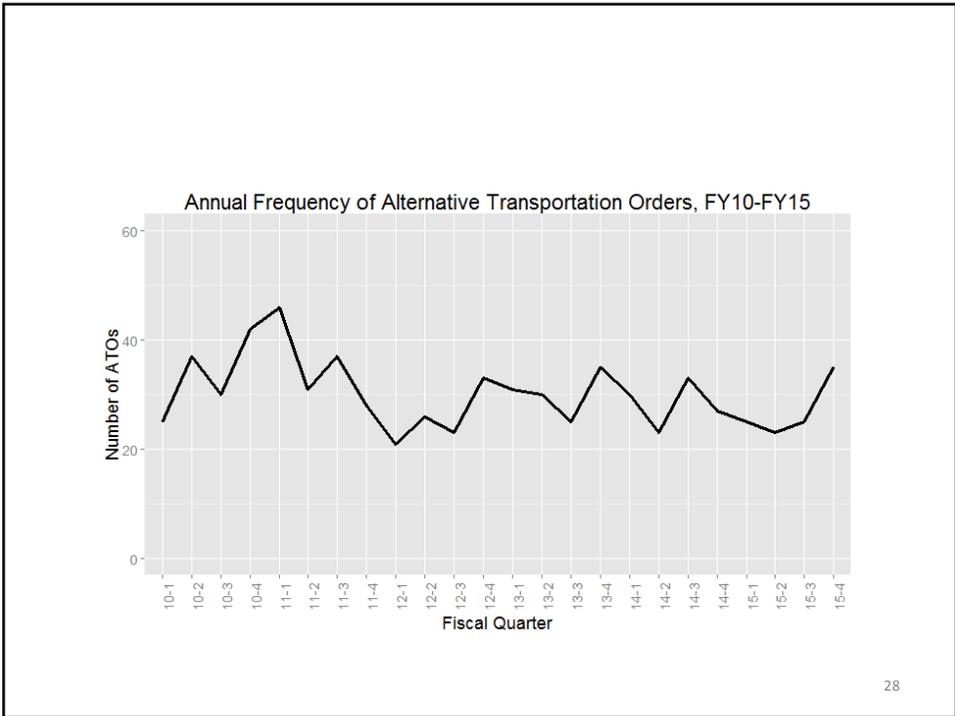
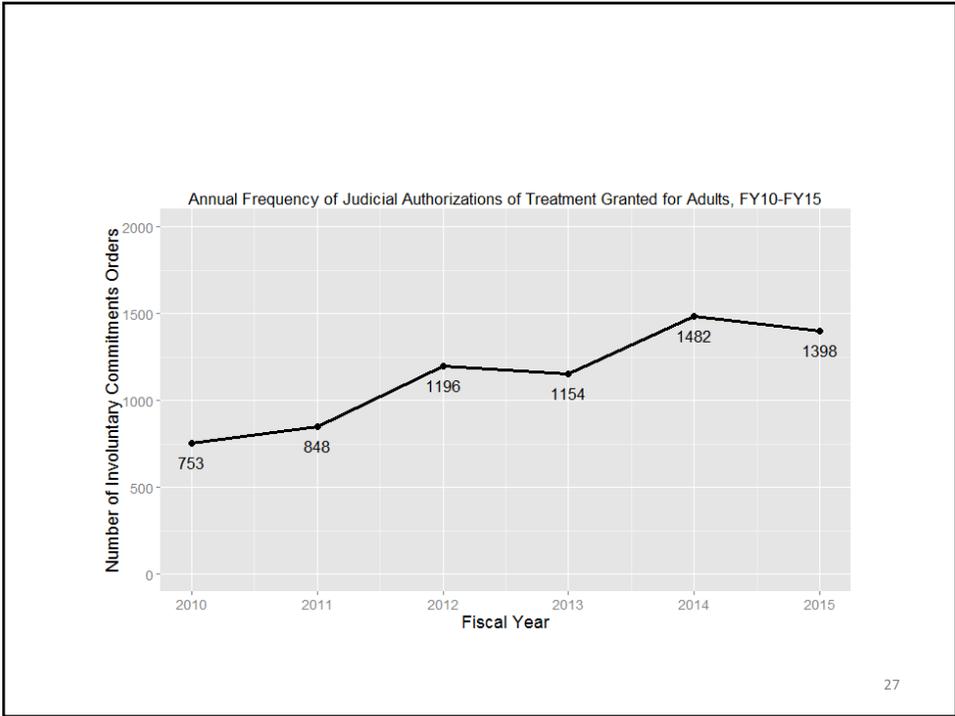






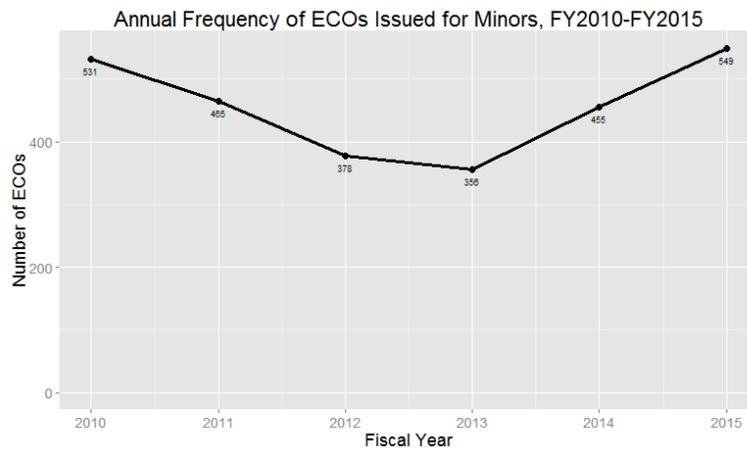




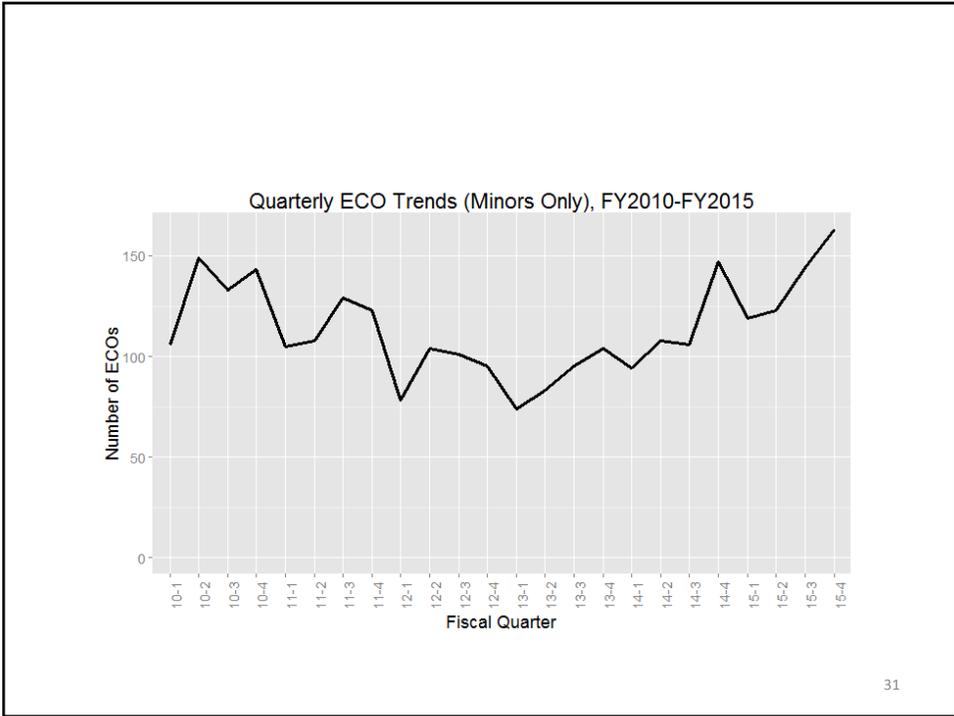


Data on Commitment of Juveniles

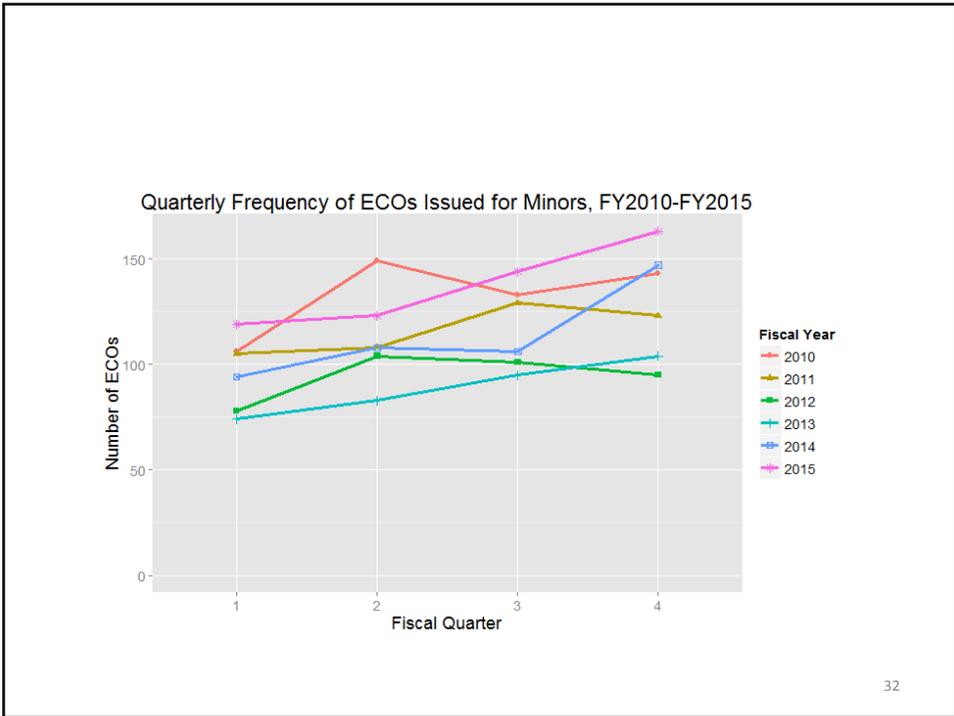
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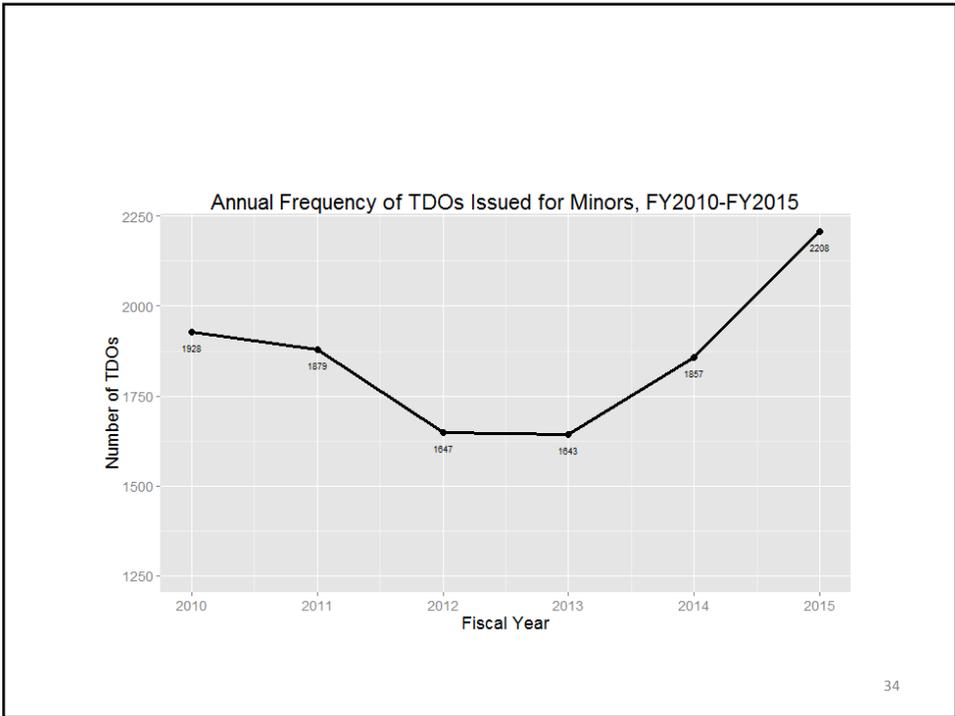
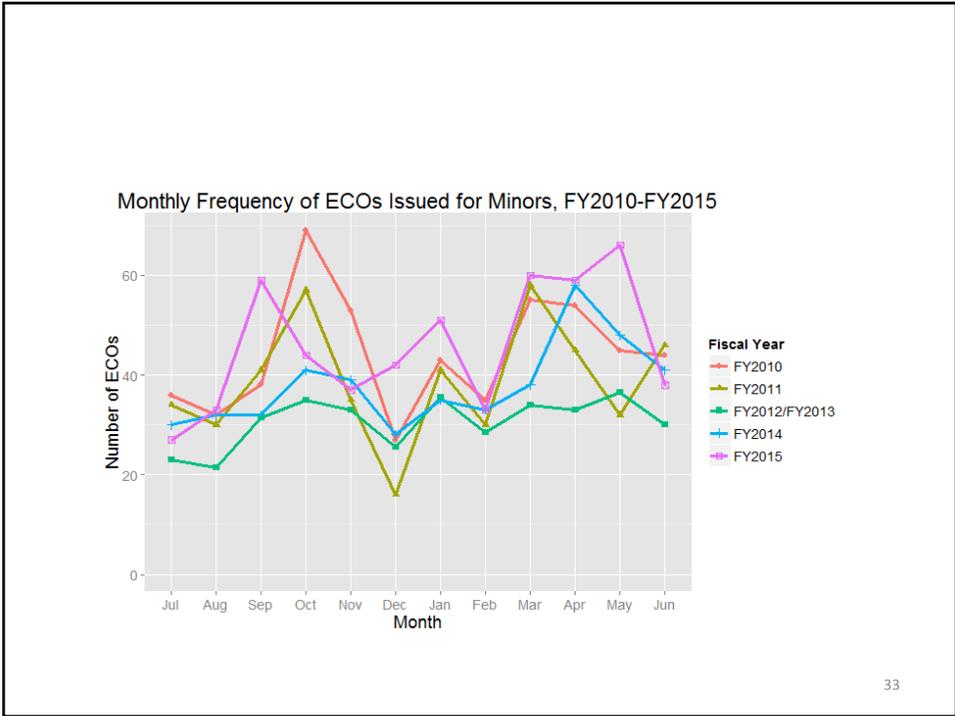
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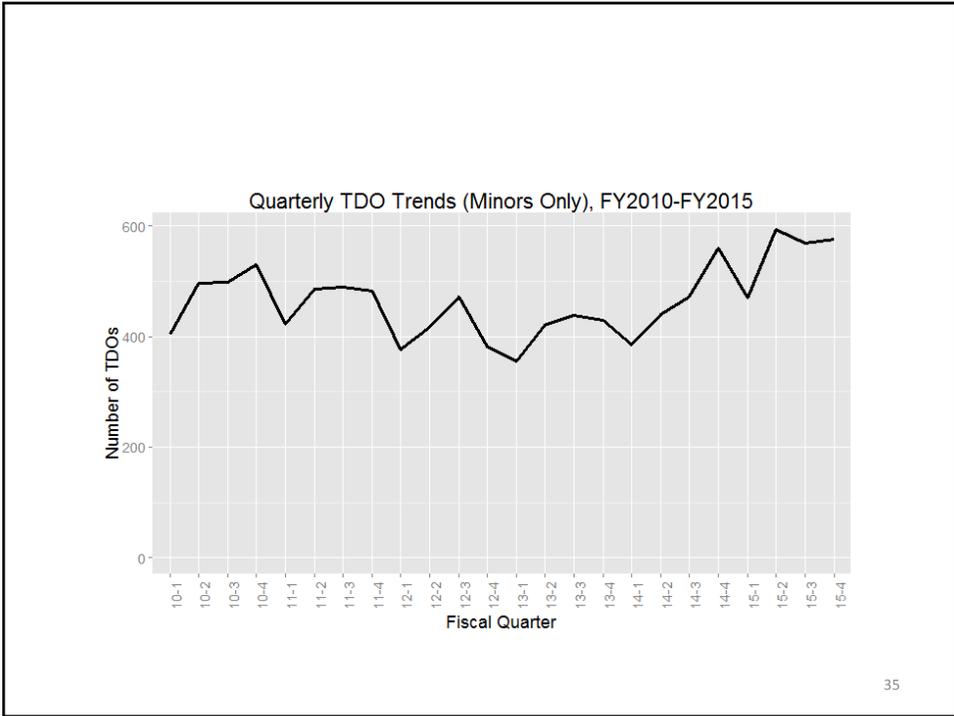


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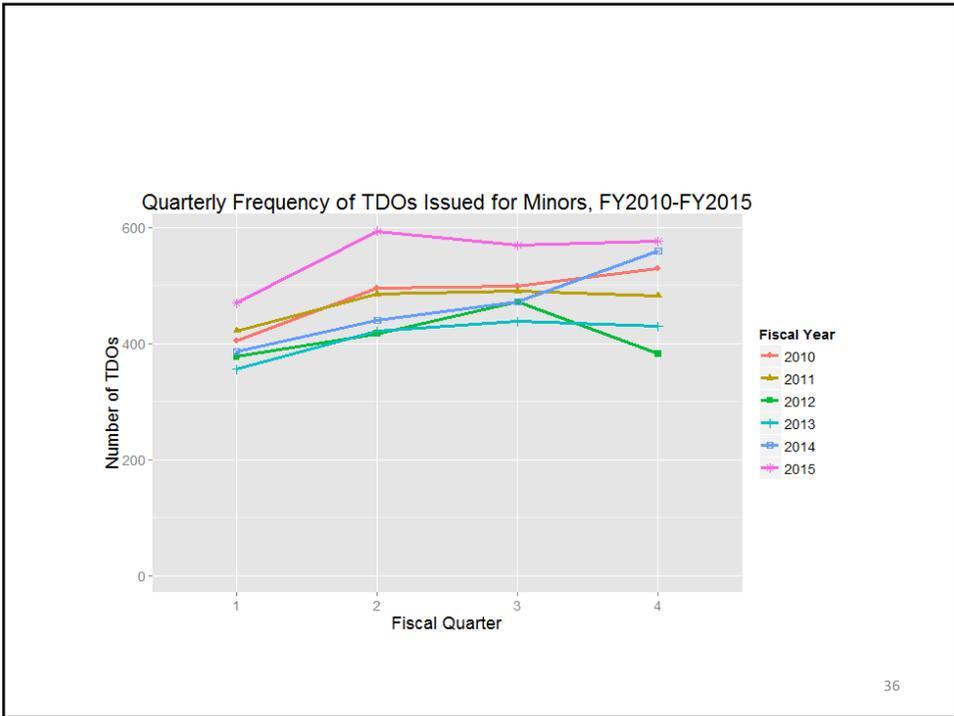


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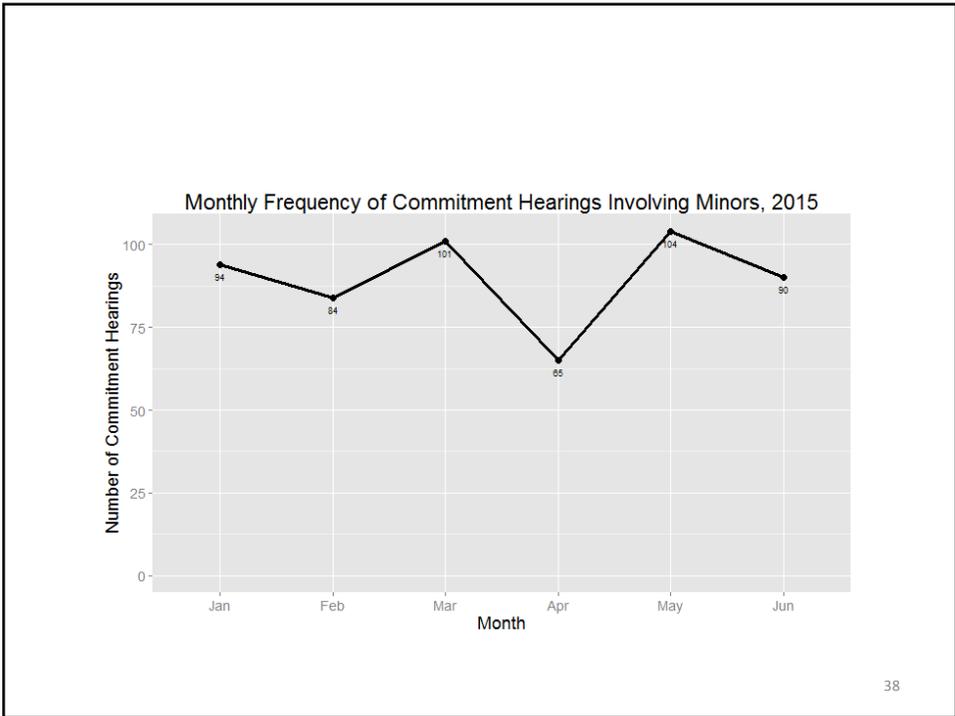
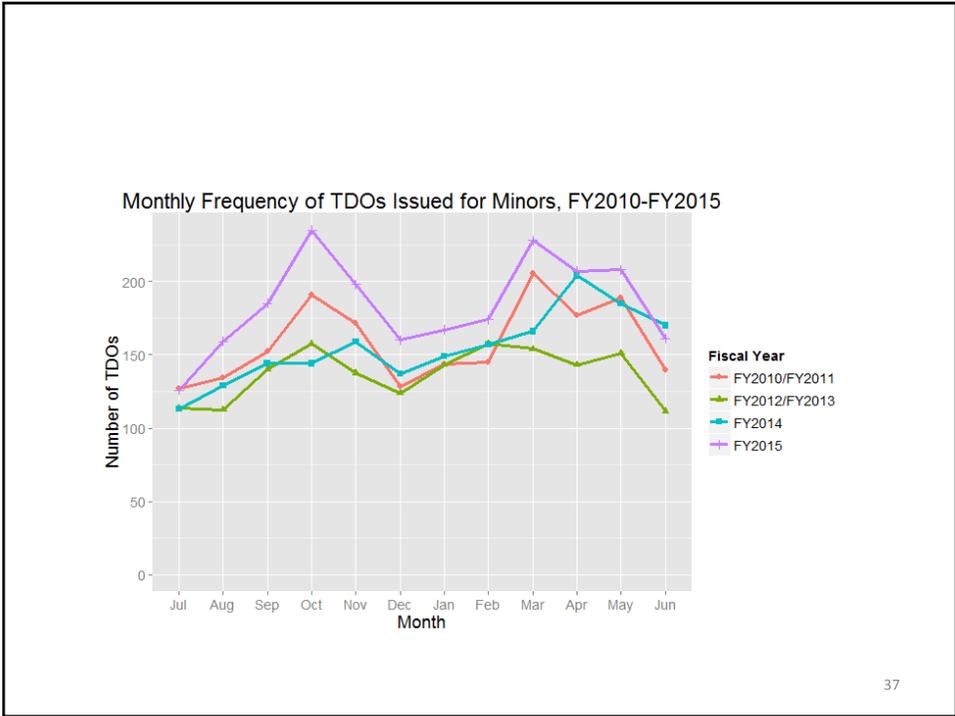


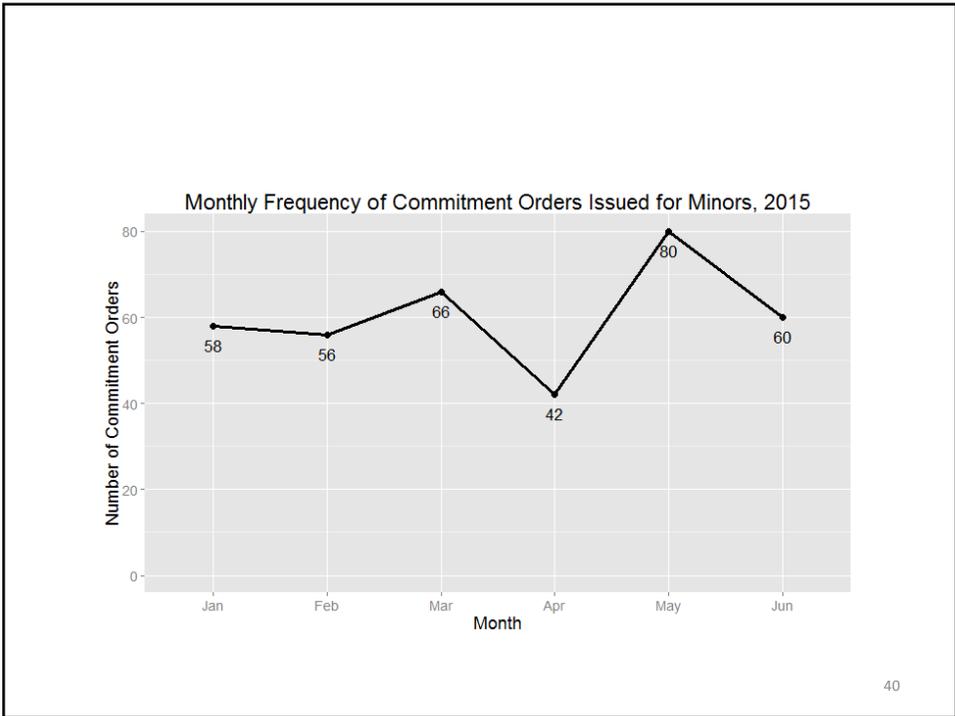
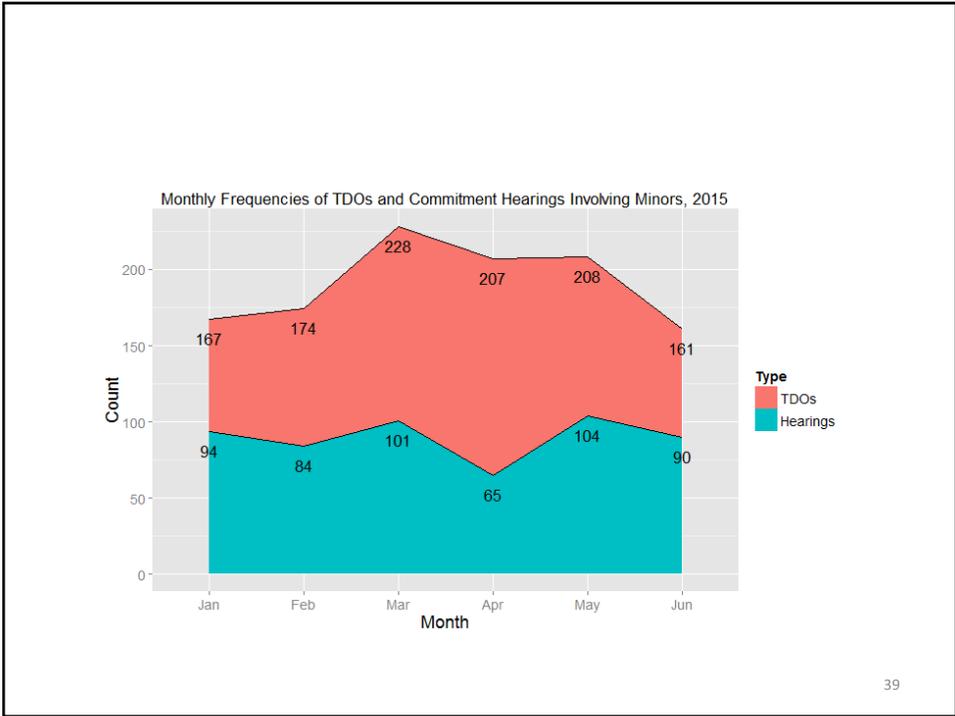


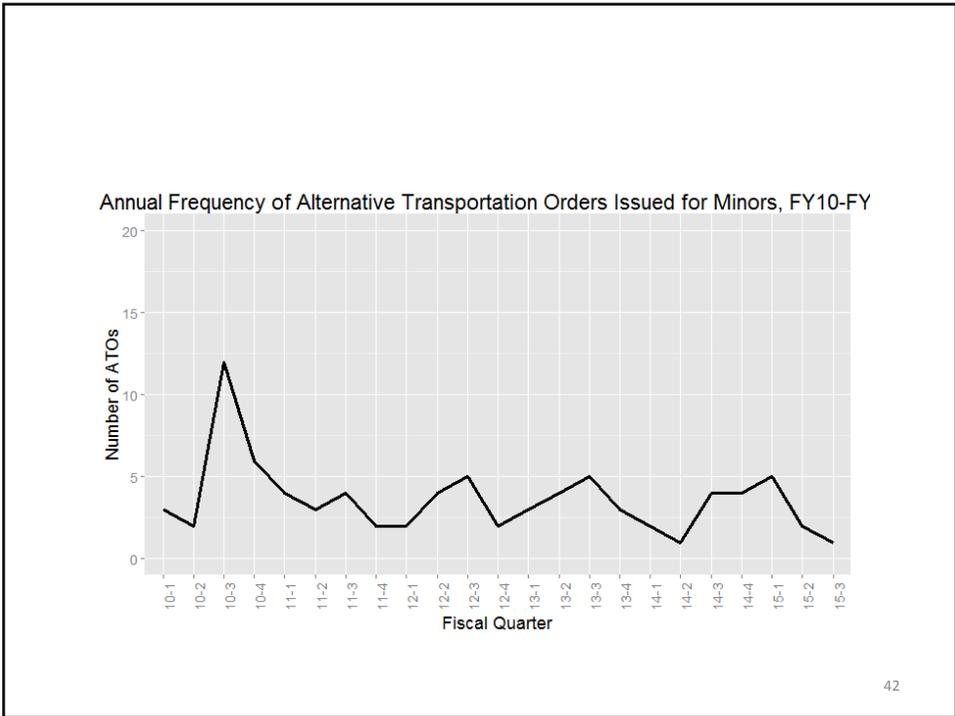
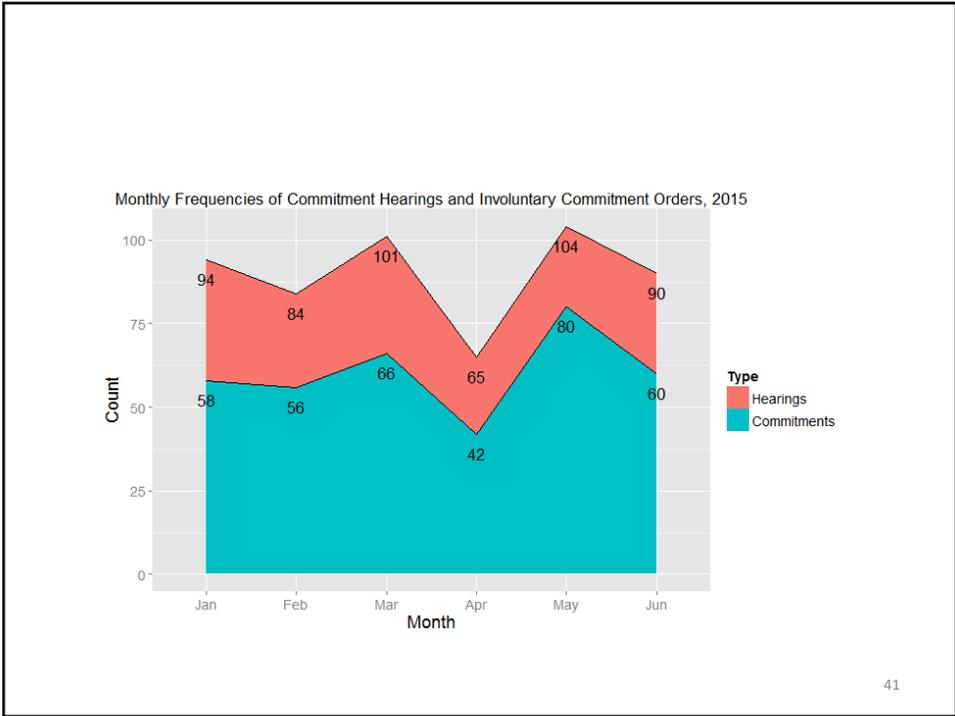
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36







ILPPP Survey of Hospitals Regarding Juvenile Admissions

- Survey of 13 inpatient behavioral health facilities in summer/fall 2015
- Compare ILPPP study under HJR 97 in 1988
- Three components
 - Aggregate data survey re admissions in FY 2014-2015
 - Administrator survey re types of admissions, estimated frequency of self-admissions and opinions on policy issues
 - Case-based data regarding all admissions during designated survey period in Fall, 2015

43

Comments on Self-Admission of Minors

- Take note of JCHC staff study of inpatient mental health treatment of minors without parental consent, June 17, 2015
- Frequency of requests for self-admission occur frequently enough (~125/year) to warrant statutory guidance

44

Self-Admission of Minors

- A minor 14 or older may be admitted for inpatient treatment if the minor has requested admission and a qualified evaluator [as defined in Section 16.1-336] has found that (1) the minor is capable of making an informed decision regarding admission; (ii) the minor meets the admission criteria specified in [16.1-338 B]; and (iii) parental consent is not available or seeking parental consent would be detrimental to the best interests of the minor.
- The admitting facility shall use its best efforts to notify the minor's parents within 24 hours after admission. If a parent objects to continued hospitalization, the admitting facility shall immediately notify the [juvenile and domestic relations district court] and shall discharge the minor to the custody of a parent within 96 hours unless continued hospitalization is authorized by a judge [under some adaptation of 16.1-345] or [after a medical neglect determination].

45

16.1-336 - Qualified Evaluator

- "*Qualified evaluator*" means a psychiatrist or a psychologist licensed in Virginia by either the Board of Medicine or the Board of Psychology, or if such psychiatrist or psychologist is unavailable, (i) any mental health professional licensed in Virginia through the Department of Health Professions as a clinical social worker, professional counselor, marriage and family therapist, psychiatric nurse practitioner, or clinical nurse specialist, or (ii) any mental health professional employed by a community services board. All qualified evaluators shall (a) be skilled in the diagnosis and treatment of mental illness in minors, (b) be familiar with the provisions of this article, and (c) have completed a certification program approved by the Department of Behavioral Health and Developmental Services. The qualified evaluator shall (1) not be related by blood, marriage, or adoption to, or is not the legal guardian of, the minor being evaluated, (2) not be responsible for treating the minor, (3) have no financial interest in the admission or treatment of the minor, (4) have no investment interest in the facility detaining or admitting the minor under this article, and (5) except for employees of state hospitals, the U.S. Department of Veterans Affairs, and community services boards, not be employed by the facility.

46

Advance Directives for Minors Regarding Psychiatric Inpatient Treatment

Notwithstanding [definition of adult or the limitation of Section 54.1-2983 to adults], a minor 14 or older who is capable of making an informed decision may make a written advance directive authorizing admission to a mental health facility and any treatment while hospitalized in a mental health facility for which the assent or consent of the minor is necessary.

47