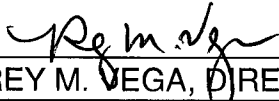


| Guam Behavioral Health and Wellness Center  |  |          |
|---|--|----------|
| TITLE: 72 Hour : Involuntary Detention for Evaluation and Treatment   | POLICY NO.:<br>CL -40                            | PAGE: 1  |
| APPLICABILITY: Clinical Inpatient Services  | REFERENCES: Law: 10 GCA Chapter 82 Article 2     |          |
| APPROVED BY: <br>REY M. VEGA, DIRECTOR | EFFECTIVE: <del>SEP</del> 27 2016<br><i>Oct.</i> | REVISED: |

**PURPOSE:**

- A. To provide a guideline for staff to ensure compliance with the legal requirements of the 72-Hour Involuntary Detention of Consumers for Evaluation and Treatment set forth by Article 2 Involuntary Hospitalization of the Guam Code annotated Chapter 82 Mentally Ill Persons.

**POLICY:**

- A. It is the policy of Guam Behavioral Health and Wellness Center to uphold the criteria for involuntary hospitalization of mentally ill based on 10 GCA Chapter 82 Civil Commitment of Mentally Ill Persons for Other Purposes.
- B. Any person can bring or present a consumer to GBHWC for evaluation and treatment.
- C. Only a person that is a danger to self, and/or a danger to others or gravely disabled due to his/her mental illness can be detained involuntarily in Adult Inpatient Unit for a period not to exceed 72 hours excluding Saturdays, Sundays and Holidays.
- D. Only a qualified mental health professional is authorized to determine whether a person presented for examination needs to be detained for evaluation and treatment.
- The determination and findings shall be documented on the 72-hour hold application form from the court.
  - The application form shall specify the circumstances under which the person's condition was brought to the attention of the qualified health professional and the conclusion that there is probable cause that the person has a mental illness and who as a result thereof is a danger to self, a danger to others or gravely disabled.
  - If in the judgment of the qualified health professional providing the evaluation or treatment, the person can be properly treated without being detained, the person shall be provided with an evaluation, crisis intervention and referral to other services on a voluntary basis.
- E. During the course of the 72 hour hold, the qualified health professional shall provide treatment to stabilize the consumer and may medicate the consumer when necessary as part of treatment plan.

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- F. A 72-Hour Involuntary Detention shall be utilized only as a last resort, making every reasonable effort to treat the person on a voluntary basis.
- G. Only a law enforcement officer may use reasonable force to restrain and detain the person in need of evaluation
- H. At the end of the 72 hour period, a person who has been detained for evaluation and treatment shall;
  - a. be referred for further care and treatment on a voluntary basis if necessary  
*or*
  - b. be certified for involuntary intensive treatment on the 28 day certification as provided under this Title of the 10 GCA Chapter 82; *or*
  - c. Released from inpatient care.

**DEFINITIONS:**

- 1. **Gravely disabled:** A person who, as a result of mental disorder, is unable to use the elements of life which are essential to health or safety, including food, clothing or shelter, even though provided to the person by others.
- 2. **Mentally Ill:** A person having a psychiatric or other disorder which substantially impairs the person's mental health.
  - a. It does not include a person suffering from epilepsy, mental retardation, or brief periods of intoxication caused by substances such as alcohol or drugs.
- 3. **Qualified mental health professional:** A licensed professional qualified by training or experience in the diagnosis of mental or related illness.
  - a. The following licensed professionals shall be so designated: a psychiatrist; a clinical psychologist; a certified psychiatric nurse at the Master's level; and a physician.
- 4. **Treatment:** shall mean any therapy approved by the American Psychiatric Association or other recognized medical body, but shall not include those forms of treatment known as Electroconvulsive Shock, Insulin Shock, Psycho-Surgery or any other measure which requires the physical invasion of the consumer's body
- 5. **28 Day Certification:** *A written certification of two qualified mental health professionals for involuntary intensive treatment of a consumer in a 72hour hold that still is a danger to self and others or is gravely disabled due to mental illness*

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**PROCEDURE:**

- A. Any individual can present a consumer for evaluation and treatment (i.e., relative, Center staff member, law enforcement officer, etc.).
  - a. The person bringing the consumer in for evaluation must be instructed to stay with the consumer until the evaluation is completed and a disposition is determined as required by law
  
- B. If a peace officer is presenting a consumer for evaluation, his/her written report on the reasons for detaining a person for evaluation shall be included in the 72-Hour Involuntary Detention for Evaluation and Treatment Form.
  - a. If the qualified health professional conducting the evaluation finds that the consumer does not meet the criteria for a 72 hour hold he/she must notify the peace officer, or the police department.
  - b. The peace officer shall provide for the safety of others during the evaluation, if necessary.
  
- C. A 72- hour hold application shall be completely filled out by the qualified health professional, signed, dated and placed in the consumer's medical record.
  
- D. Upon admission the involuntary consumer advisement form (F-CL-59) shall be completed and the consumer informed of his/her involuntary admission and read his/her rights and responsibility.
  - a. If advisement is not possible upon admission it should be documented on the advisement form.
  - b. Attempts to advise the consumer must be made at every shift following admission and documented until advisement form is completed
  - c. A copy of the advisement form must be placed in the medical record and a copy must be given to the consumer and/or legal guardian.
  
- E. Each person admitted for a 72-hour involuntary detention shall be released prior to the lapse of that period.
  - a. if in the opinion of the qualified mental health professional that person is still a danger to self and/or to others or gravely disabled the following protocol will be followed;
    - i. The consumer is referred for further treatment on a voluntary basis and the consumer consents by voluntarily signing the appropriate forms
    - ii. If the consumer refused further treatment or hospitalization a written certification called a 28 day certificate for intensive treatment of two (2) qualified mental health professionals stating the need for further inpatient treatment will be applied for in court.
    - iii. Certification shall be required for any involuntary 28 day intensive treatment after a 72 hour hold.

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Attending Psychiatrist Review of 72- Hour Involuntary Detention Application:

- A. If the attending psychiatrist is not the admitting psychiatrist, he/she shall assess the consumer and review the 72 hour hold as soon as possible after admission.
  - a. If the attending psychiatrist is not in agreement of the 72 hour hold, he/she shall order discontinuation of the 72 hour hold and indicate new legal status of the consumer in the physicians order form.
  - b. If admission is indicated but involuntary hold criteria are no longer present, the consumer must sign voluntary admission forms or be discharged.
- B. Psychiatric progress note should be entered to document the process.

**REFERENCE:**

- 1. 10 GCA Chapter 82

**ATTACHMENTS:**

- 1. 72-Hour Hold Application for Involuntary Psychiatric Hospitalization  
(refer to Court Form)
- 2. GBHWC Advisement of Consumer's Right Form (F-CL-59)

# GBHWC POLICY AND PROCEDURE REVIEW AND ENDORSEMENT CERTIFICATION

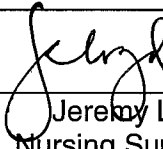
The signatories on this document acknowledge that they have reviewed and approved the following:


Submitted by: Cydsel Victoria Toledo

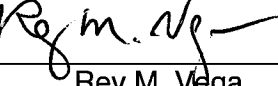
Policy No.: CL – 40

**Policy and Procedure**

Title: 72 hour hold: Involuntary Detention for Evaluation and Treatment

|                   |                                    |   |
|-------------------|------------------------------------|---|
|                   | Date                               | Signature   |
| Reviewed/Endorsed | 6/22/2016                          |  |
| Name and Title    | Jeremy Lloyd<br>Nursing Supervisor |   |

|                   |                                      |  |
|-------------------|--------------------------------------|--|
|                   | Date                                 | Signature  |
| Reviewed/Endorsed | 6/22/2016                            |  |
| Name and Title    | Dr. Ariel Ismael<br>Medical Director |  |

|                   |   |  |
|-------------------|---|--|
|                   | Date  | Signature  |
| Reviewed/Endorsed | 6/22/2016 <sup>OCT.</sup><br><del>SEP-27 2016</del> |  |
| Name and Title    | Rey M. Vega<br>Director GBHWC                       |  |