



Health Care Agency Behavioral Health Services Policies and Procedures	Section Name:	Administration
	Sub Section:	Certifications & Designations
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	SIGNATURE	DATE APPROVED
Chief of Operations Behavioral Health Services	<u>Signature on File</u>	<u>8/30/17</u>

SUBJECT: Lanterman-Petris-Short Act (LPS) Designation Privileges

PURPOSE:

To set forth the conditions in which designated mental health providers and emergency department physicians can use their 5150/5585 individual designation privileges.

POLICY:

Persons designated by the Orange County Deputy Agency Director of Behavioral Health Services (hereafter referred to as the BHS Director) or designee shall exercise their 5150/5585 privileges within the provisions of this policy.

SCOPE:

The provisions of this policy are applicable to Designated Individuals and Designated Emergency Department Physicians.

REFERENCES:

Welfare and Institutions Code, Division 5. Community Mental Health Services [5000-5912]. Part 1. The Lanterman-Petris-Short Act (LPS) [5000-5550], Chapter 1. General Provisions [5001-5121] and Chapter 2. Involuntary Treatment [5150-5349.5]

Welfare and Institutions Code, Division 5. Community Mental Health Services Part 1.5 Children’s Civil Commitment and Mental Health Treatment Act of 1988. Chapter 1: General Provisions [5585-5585.25] and Chapter 2: Civil Commitment of Minors [5585-5585.59]

DEFINITIONS:

5150/5585 - Sections of the California Welfare & Institutions Code that authorizes a peace officer, a member of the attending staff, or professional person designated by the county to take an adult/minor into custody for a period of up to 72 hours for assessment, evaluation and crisis intervention, or placement for evaluation and treatment in a Designated Facility if he or she is a danger to self, danger to others, or gravely disabled due to mental health disorder.

Designated Facility - a facility that has been designated by the County Board of Supervisors and approved by the State to provide involuntary psychiatric evaluation and treatment to

persons who are a danger to self, danger to others, or gravely disabled due to a mental health disorder.

Designated Individual - a mental health provider who has been granted 5150/5585 individual designation privileges by the BHS Director or designee.

Designated Emergency Room Physician - an emergency department physician who has been granted 5150/5585 individual designation privileges by the BHS Director or designee.

Facility – Either Designated Facility or Non-Designated Facility

Health Maintenance Organization (HMO) - an organization that provides health care to people who make regular payments to it and who agree to use the doctors, hospitals, etc., that belong to the organization.

Minor - anyone under the age of 18 who is not married, or a member of the armed forces, or declared emancipated by a court of law.

Non-Designated Facility - a facility that has not been designated by the County Board of Supervisors and approved by the State to provide involuntary psychiatric evaluation and treatment to persons who are a danger to self, danger to others, or gravely disabled due to a mental health disorder.

LPS - Lanterman-Petris-Short Act provides the statutory framework for the commitment of individuals with mental health disorders and provides protection for the legal rights of such individuals.

Qualified Psychiatric Nurse Practitioner - is a registered nurse who is certified and registered by the Board of Registered Nursing with a specialty in psychiatry/mental health.

PROCEDURES:

- I. Privileges vary as outlined below.
- II. Conditions of 5150/5585 Authority for Designated Individuals of Designated Facilities
 - A. Once a patient has been admitted to an inpatient Designated Facility under Welfare and Institutions Code section 5152, only Designated Individuals who are either a psychiatrist or psychologist can discontinue the 5150/5585 involuntary hold.
 - B. Except as in II A above, Designated Individuals of a Designated Facility may initiate and discontinue 5150/5585 involuntary holds within the confines of the Designated Facility and its campus, including the emergency department.
 - C. Designated Individuals who are licensed psychiatrists, psychologists, and qualified psychiatric nurse practitioners of a Designated Facility have expanded

5150/5585 privileges and may initiate or discontinue a 5150/5585 involuntary hold in:

1. Their private practice offices.
2. Skilled nursing facilities.
3. Emergency departments.
4. Medical floors of general acute care hospitals.

D. Designated Individuals of more than one Designated Facility must have approved Designated Individual status at each facility in which they intend to use their 5150/5585 privileges.

III. Conditions of 5150/5585 Authority for Designated Individuals of Designated Facilities Assigned to Private Sector Mobile Crisis Teams

A. Designated Individuals of a Designated Facility assigned to a mobile crisis team may initiate or discontinue 5150/5585 involuntary holds at:

1. The facility at which they have Designated Individual status, with the following exception:
 - a) Once a patient has been admitted to an inpatient Designated Facility under Welfare and Institutions Code section 5152, only Designated Individuals who are either a psychiatrist or psychologist can discontinue the 5150/5585 involuntary hold.
2. Emergency departments.
3. Police stations.
4. Medical floors of general acute care hospitals with approval by the BHS Director or designee.

IV. Conditions of 5150/5585 Authority for Emergency Room Physicians in Designated Facilities

A. Designated Emergency Department Physicians who practice in an emergency department of a general acute care hospital designated by the County and licensed by the California State Department of Public Health to provide basic or comprehensive emergency medical services may initiate or discontinue 5150/5585 involuntary holds in the emergency department of that facility.

V. Conditions of 5150/5585 Authority for Designated Individuals of Health Maintenance Organizations (HMO)

- A. Designated Individuals of HMO's who are on duty may initiate or discontinue 5150/5585 involuntary holds at HMO service delivery sites.
- VI. Conditions of 5150/5585 Authority for Designated Individuals of Non-designated Facilities
- A. Designated Individuals of a Non-designated Facility may initiate and discontinue 5150/5585 involuntary holds within the confines of the Facility and its campus, including the emergency department.
 - B. Designated Individuals of more than one Facility must have approved Designated Individual status at each facility in which they intend to use their 5150/5585 privileges.