

North Sound Mental Health Administration

Regional Support Network for Island, San Juan, Skagit, Snohomish, and Whatcom Counties
Improving the mental health and well being of individuals and families in our communities

117 North First Street, Suite 8 • Mount Vernon, WA 98273

360.416.7013 • 800.684.3555 • Fax 360.416.7017 • Email nsmha@nsmha.org • Web Site <http://nsmha.org>

NSMHA Contract Memorandum 2015-007

Date: August 24, 2015

To: Jackie Henderson, Island County Coordinator
Barbara LaBrash, San Juan County Coordinator
Rebecca Clark, Skagit County Coordinator
Anne Deacon, Whatcom County Coordinator
Cammy Hart-Anderson, Snohomish County Coordinator
Carola Schmid, DMHP Supervisor Snohomish County
Becky Olson-Hernandez, Emergency Services Supervisor Compass Health
Jessica Vann Campbell, Associate Supervisor Compass Health
Anji Jorstad, Snohomish County
Pam Hutchinson, DMHP Supervisor, Skagit County
Sandarah Abrahamson-Amun, DMHP Supervisor Whatcom County

From: Joe Valentine, Executive Director
Betsy Kruse, Deputy Director
Sandy Whitcutt, Quality Specialist, Crisis Services

Subject: Joel's Law (E2SSB 5269)

Please see attached memorandum regarding "Joel's Law" and processes for court judges, commissioners and/or administrative assistants and DMHPs for the North Sound Region.

Please ensure all appropriate staff and/or individuals involved in the phases of "Joel's Law" receive this memorandum.

Please be advised this memorandum will be snail mailed to court judges, commissioners and/or their respective administrative assistants once the County Coordinators and DMHPs provide the names and addresses of those individuals to NSMHA.

If you have any questions regarding this numbered memorandum, please feel free to contact Sandy Whitcutt at 360-416-7013 or sandy_whitcutt@nsmha.org.

Sincerely,

NSMHA

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MEMORANDUM

TO: Superior Court Judges and Administrative Assistants of North Sound Region

FROM: Sandy Whitcutt, Crisis Coordinator and Betsy Kruse, Deputy Director, NSMHA

SUBJECT: E2SSB 5269 (Joel's Law)

DATE: August 24, 2015

CC: ICRS Supervisors and County Coordinators

This memo is intended to provide information to the courts regarding regional and state inpatient psychiatric hospital availability needed to execute a detention for E2SSB 5269 (Joel's Law).

Background

The North Sound Mental Health Administration (NSMHA) oversees voluntary and involuntary crisis response services for mental health in the North Sound Region (Island, San Juan, Skagit, Snohomish and Whatcom Counties). The Designated Mental Health Professionals (DMHP) have the authority in the State of Washington to detain people who are dangerous to themselves, others, property, or are gravely disabled due to a mental disorder.

Joel's Law (71.05)

When a Judge or Commissioner, pursuant to Joel's Law, decides to overturn the DMHP decision not to detain, the DMHP will, upon receipt of an Order to Detain, attempt to locate the individual and take them into custody. Respondents must first be transported to an emergency department to be medically cleared prior to referral for an inpatient psychiatric bed. After medical clearance, the DMHP will attempt to locate an inpatient psychiatric bed, exhausting all statewide resources.

Due to the 2014 Supreme Court decision on boarding, individuals can no longer be psychiatrically boarded in an emergency department that is not able and/or willing to provide appropriate psychiatric services. If no appropriate bed can be found and the facility is unable and/or unwilling to attest, the DMHPs have been instructed to walk away and leave the patient and all further decisions with the hospital. The emergency departments will make a determination whether to continue to hold the individual. However, NSMHA will not be able to pursue a probable cause hearing for these individuals.

When considering where to order the Respondent for treatment many factors may be involved. NSMHA appreciates the difficult position of the courts and offers the following information in an attempt to assist the courts in making their determination. NSMHA respectfully requests the court consider proximity, as well as, availability to provide psychiatric services to the individual they are issuing the Order to Detain.

These are regional hospitals that have inpatient psychiatric units:

- Peace Health, St. Joseph Medical Center, Whatcom County;
- Skagit Valley Regional Hospital, Mt. Vernon, Skagit County;
- Swedish Hospital, Edmonds, Snohomish County; and
- Fairfax Hospital, Everett, Snohomish County.

These regional hospitals do not have inpatient psychiatric units but are able to attest to providing psychiatric care to the individual:

- Providence Regional Hospital, Everett, Snohomish County and
- Evergreen Health, Monroe, Snohomish County.

These Evaluation and Treatment Facilities are able to provide inpatient psychiatric care:

- Mukilteo E and T, Snohomish County and
- Telecare E and T, Skagit County, (will be available mid-September, 2015).

These hospitals are not able and/or willing to attest at this time:

- Whidbey General Hospital, Whidbey Island, Island County;
- Island Hospital, Anacortes, Skagit County;
- Peace Health Peace Island Medical Center, Friday Harbor, San Juan County;
- Cascade Valley Hospital, Arlington, Snohomish County; and
- Peace Health, United General, Sedro Wooley, Skagit County.

Providing a specific receiving hospital on the court order that either has a psychiatric unit or is willing and able to attest will lessen the above outlined challenges.

If you have any questions regarding this memo, please feel free to contact me at NSMHA at 360-416-7013 or at sandy_whitcutt@nsmha.org.