



# COUNTY OF HUMBOLDT

For the meeting of: 12/16/2019

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File #: 19-1641

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**To:** Board of Supervisors

**From:** DHHS: Mental Health

**Agenda Section:** Consent

**SUBJECT:**

Resolution Authorizing the Application of California Welfare and Institutions Code Section 5151 to Interpret the 72-Hour Clock to Start Upon Admittance to Designated Inpatient Psychiatric Facility, Sempervirens

**RECOMMENDATION(S):**

That the Board of Supervisors:

1. Approve the attached Resolution authorizing the application of California Welfare and Institutions Code 5151 to interpret the 72-hour clock to start upon admittance to designated inpatient psychiatric facility, Sempervirens, per the application of Article 1 Chapter 2 Part 1 of Division 5 of the Welfare and Institutions Code (Commencing with section 5150); and
2. Find that any additional costs or reduction in costs incurred will be covered by the budget without reduction in service.

**SOURCE OF FUNDING:**

Mental Health Fund

**DISCUSSION:**

Persons who are placed on a Welfare and Institutions Code section 5150 hold may initially be held up to seventy-two hours. The makers of the law anticipated that little or no time would elapse between the writing of the Welfare and Institutions Code section 5150 hold and admittance into the designated facility. Reality is that many patients may wait twenty-four to thirty-six hours to get admitted. It may be interpreted that the 72-hour clock start when the document is written or at the time of admittance to the designated psychiatric inpatient facility. Humboldt County currently starts this 72-hour clock at the time persons are first taken into custody under this section. However, Welfare and Institutions Code section 5151 states that if the psychiatric inpatient facility designated by the county for evaluation and treatment admits the person, it may detain him or her for evaluation and treatment for a period not to exceed seventy-two hours. This suggests the seventy-two hour start time begins upon admission to the designated psychiatric inpatient facility. Humboldt County interprets the 72-hour clock to start at the time of admission to the designated psychiatric inpatient facility. This would afford additional time to secure bed space in said designated facility, assure the availability of seventy-two hours for treatment

at the facility, provide additional time for mental health assessment and medical clearance prior to transport, simplify discharge and release procedures if the client stabilizes prior to arrival at the designated facility, assure adequate time for transportation to a designated facility in the event of inclement weather or other conditions that may restrict travel, and is consistent with the language of the law.

**FINANCIAL IMPACT:**

DHHS-Mental Health anticipates that indirect cost savings resulting from the implementation of this policy will offset any additional costs incurred by the County. There is no change anticipated in the FY 2019-20 budget for Mental Health.

**STRATEGIC FRAMEWORK:**

This action supports your Board's Strategic Framework by protecting vulnerable populations and improving the safety and health of our communities.

**OTHER AGENCY INVOLVEMENT:**

Hospital Emergency Departments

**ALTERNATIVES TO STAFF RECOMMENDATIONS:**

The Board can choose not to approve this Resolution. However, DHHS does not support this alternative because this resolution is an alternative to successive Welfare and Institutions Code section 5150 holds, is utilizing available resources more efficiently, and is consistent with the language of the law.

**ATTACHMENTS:**

1. Resolution Authorizing the Application of California Welfare and Institutions Code Section 5151 to Interpret the 72-Hour Clock to Start Upon Admittance to Designated Inpatient Psychiatric Facility, Sempervirens

**PREVIOUS ACTION/REFERRAL:**

Board Order No.: C-15; B-2; C-10

Meeting of: 07/24/2007; 12/17/2013; 09/15/2015

File No.: 17-0550; 16-0666; 15-1005; 19-1641