

What is a '5150' or '72 hour hold'?

5150 is the number of the section of the Welfare and Institutions Code, which allows a person who is experiencing a mental health crisis at that time to be involuntarily detained for a 72-hour psychiatric hospitalization.

A person on a 5150 can be held in the psychiatric hospital against their will for up to 72 hours. This does not mean that they will necessarily be held the entire 72 hours; it means that psychiatric hospitals have the legal right to do so if determined to be necessary.

What makes people eligible for '5150'?

A person can be held against their will in a psychiatric facility only if they meet **at least one** of the three basic criteria listed:

1. **The person is a danger to others.** The courts have most often interpreted this in a very restrictive way. It must be generally shown that an imminent threat exists, that the person means to carry out the threat, and that they will do so immediately. The threat must also be substantially related to the mental illness.
2. **If the person is a danger to self.** The courts generally interpret this as a **life threatening** danger to self (i.e. suicidal ideations / attempt).
3. **If the person is gravely disabled.** Grave disability (passive danger to self) as the result of a mental disorder has been interpreted very differently in different jurisdictions in California. The law states that a person must be unable to provide for their own food, clothing or shelter as the result of a mental disorder in order to qualify as gravely disabled. Sometimes this provision is interpreted liberally in order to allow mentally ill persons to receive treatment. However, it is also often interpreted restrictively. For example; courts may rule a person to not be gravely disabled even if they are totally incapacitated but have friends or family who will provide food, clothing, or shelter for them. **This is important**, as 'having a safe place to go' and 'having someone to provide for them' influences decisions as to whether to discharge a loved one; knowing whether you are able to take a loved one home with you 'at this time' and whether you are able to safely provide care for them is important to discuss as a family. Examples of behaviors which do not allow families to safely provide for them include dangerous household practices (e.g. heating the house with the oven, tearing out electrical wires or refusing food due to paranoia / delusions, etc). It is important to share such facts with emergency first responders, police officers, members of Mobile Crisis team, or other professionals evaluating the person for a 5150.

For more information call 1-888-896-FERC (3372)

An **interactive version** of this '5150' grid is available on our website: www.askferc.org where topics noted in **red font** will take you to links for additional information on that subject.



FERC is a program of the Mental Health Association of Alameda County funded through Mental Health Services Act and operated under contract with Alameda County Behavioral Health Care Services



Please visit our website or call for information about office locations in Oakland, Hayward, Fremont and Livermore.



Family Education and Resource Center

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Monday – Thursday: 9:00 AM to 5:00 PM
Fridays: 9:00 AM to 1:00 PM

Phone | 1-888-896-3372
Business Line | 510-746-1700

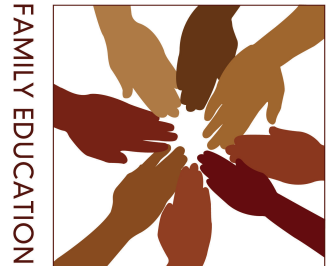
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FERC



FAMILY EDUCATION

AND RESOURCE CENTER

**'5150' Crisis:
Up to 72 hour
involuntary hold**

**What family members
need to know...**



'5150' Crisis (up to 72 hour involuntary hold) - Family Tips

←----- typically 24 hour timeframe ----->

At any stage in this process, call FERC 888-896-3372 www.askferc.org	<u>Pre-Crisis</u>	<u>Emerging Crisis</u>	<u>Crisis Event / Call 911 for Mental Health Emergency</u> (Possible 5150) Before Police Arrive	<u>Response by Police/Ambulance</u> (and possibly Crisis Response Team, as available)	<u>If transported to Psych Emergency Services (PES)</u>	<u>Arrival at Psych Emergency Services (PES)</u>	<u>Admitted to Inpatient Psych Hospital</u>
WHATS HAPPENING WITH YOUR LOVED ONE (YLO)	YLO (<i>Your loved one</i>) is doing well	<ul style="list-style-type: none"> Early warning signs emerge, then increase (e.g. more withdrawn, agitated, disheveled? Seeing / hearing things no one else can? Now refusing to take meds?) 	<ul style="list-style-type: none"> Danger to self and/or others Gravely disabled (unable to be cared for <u>safely</u> in current environment + unable to care/ provide for self) 	<ul style="list-style-type: none"> YLO may exhibit behaviors immediately or may 'pull it together' during their interaction with police / first responders 	<ul style="list-style-type: none"> Usually restrained on a gurney during transport by ambulance 	<ul style="list-style-type: none"> YLO will be assessed / evaluated. Possible outcomes include: discharge, hold up to 24 hours in PES or admit to Psych Hospital 	<ul style="list-style-type: none"> Involuntary 5150 hold Treatment Assessed for readiness for discharge vs. 5250 (extended hold)
WHAT YOU NEED TO KNOW (to be prepared)	<ul style="list-style-type: none"> YLO's early warning signs Your rights for LEAVE TIME as a caregiver (Family Medical Leave Act-FMLA) Phone and Fax #s to local Psychiatric Emerg./Hospitals AB1424, your right to provide information that must be considered in a 5150 process What is 'grave disability' Your rights re: accepting YLO's return to home after 5150 Getting support for yourself 	<ul style="list-style-type: none"> Safety First! Know / enact your role in YLO's W.R.A.P. plan Know and call upon YLO's strengths and your own In Jail? Contact the Family Caregiver Advocate at MHAAC (510) 835-0188 Continue to recheck YLO's current state and offer support and encouragement 	<ul style="list-style-type: none"> A mental health emergency <u>is</u> an emergency. Call 911 if you are worried about anyone's safety or if you can no longer safely care for YLO; contact Pt Rights Advocates: (800) 734-2504 Crisis Response Prgm: (800) 491-9099; Berkeley Mobile Crisis: (510) 981-5254 	<ul style="list-style-type: none"> Safety First – if need be, go outside or lock self in room/keep keys, cell phone with you until help arrives. If you're in the same room as YLO, stay near an exit door Most effective: stay calm/know your rights and provide only the facts (include info re: prior 5150s) YLO may be taken in handcuffs, or on a gurney to ensure everyone's safety 	<ul style="list-style-type: none"> It's possible YLO may be taken to a Medical Hospital (e.g. if overdose etc) It's possible YLO may be arrested and taken to jail (call jail to inform of YLO's psychiatric history, current meds, etc; jail 'history' forms are available) 	<ul style="list-style-type: none"> Have a plan in place if / when YLO is discharged during this process If providers can't talk with you (due to confidentiality laws) know that you CAN send in "info", leave messages, submit notes (AB1424) Ask staff if they have asked YLO to sign a Release of Authorization (ROA) form 	<ul style="list-style-type: none"> If YLO is at John George Pavilion, contact Family Caregiver Advocate at MHAAC (510) 835-0188 You and YLO should review the Patients Rights handbook ACBHCS has a Complaint line: 510-830-3805
THINGS TO DO, ASK FOR, AND SAY	<ul style="list-style-type: none"> Call FERC, National Alliance on Mental Illness (NAMI) for support and information e.g. how to avert a 5150 Attend Family Support Groups, and Attend NAMI's 'Family to Family' to gather tips and insight Have 1-2 page Brief History prepared w/ copies (for you, friend, police, hospital, etc) – include insurance, medications, provider names and your contact information Maintain a calm environment Develop (and review often) W.R.A.P. plans (YLO and self) - for example who calls 911 and when? 	<ul style="list-style-type: none"> Stay calm Communicate with YLO what early warning signs you are noticing Implement your W.R.A.P. plan/s now to avoid / avert a crisis Keep cell phone charged, available at all times Make sure car is gassed, prepped, and free of harmful items May prepare a labeled bag with slippers, vanities, sweats, etc (no strings allowed) Update Brief History with current events 	<ul style="list-style-type: none"> Call family / friends for immediate in-person support for you Take other family members (e.g. younger siblings) to friends' home We recommend not telling YLO about making a 911 call When calling 911: <ul style="list-style-type: none"> - Request no sirens - Ask if trained CIT officers or Mobile Crisis Response team can also come - Provide only the facts and be brief - Goal is no surprises for the police 	<ul style="list-style-type: none"> Stay calm / out of way One person stay inside if safe to do so; 2nd person meets police outside / provide brief history and what's happening now Unlock doors, keep keys and cell phone with you Lights on, animals contained Remove anything that may confuse / complicate the matter, or be perceived as a weapon (e.g. empty beer cans, kitchen knives, etc) Describe what "helps YLO" e.g. respectful tone 	<ul style="list-style-type: none"> Ask where they are taking YLO You may also drive to the PES and speak to the staff there Bring brief history – updated with today's events (fax if can) After ambulance leaves, fax/call PES with past history, current state, (see Brief History form) ; include any current alcohol or drug use 	<ul style="list-style-type: none"> Submit written 'conditions' for YLO's return home - "I would like my loved one home when..." (Contact Pt Rights Advocates (800)734-2504 for 'conditions' advice or ask FERC – (888) 896-3372 Request Nurse's station ph#; ask for a call when YLO is: admitted, held for observation, transferred, or discharged Ask staff to have YLO sign a ROA form or fax signed form if you have it 	<ul style="list-style-type: none"> Inform YLO's provider(s) of recent events Visit YLO, call (don't get discouraged if YLO isn't receptive; keep trying) Develop a contract with YLO, case manager, and discharge planner (early); put in writing "I would like my loved one home when..." Request notification of discharge especially if your home isn't a part of the discharge plan
NOTES	<ul style="list-style-type: none"> A W.R.A.P. plan is a wellness, recovery action plan developed when you and YLO are well – offers insight and self-generated instruction on supporting YLO (or yourself) before and during a crisis Review this early and often At any stage in this process, call FERC 888-896-3372 www.askferc.org 	<ul style="list-style-type: none"> This chart depicts typical events leading up to a 72 hour Involuntary Hold (5150). Other situations different from those described are possible Ask YLO to agree to a voluntary admission / avert a 5150 if at all possible 	<ul style="list-style-type: none"> Unable to care for self includes: own food, clothing, shelter and safety W.R.A.P. plan should include a realistic plan for caring for YLO at home during a crisis (if no safety issues) or if not 5150'd 	<ul style="list-style-type: none"> Ambulance & multiple police cars may arrive (to assess for 5150) and to transport YLO) Police will need to 'secure the scene' to ensure safety for all – includes: asking many questions, assessing for weapons, etc; guns may be drawn 	<ul style="list-style-type: none"> It is possible that the police will decide NOT to involuntarily hold YLO Taken to jail? Contact MHAAC Family Caregiver Advocate 	<ul style="list-style-type: none"> YLO may not receive treatment or therapy here, as this is primarily an observation period (5150 process) HIPPAA Laws may prevent staff from disclosing information to you – routinely ask YLO to sign a ROA 	<ul style="list-style-type: none"> Routinely request that YLO sign a confidentiality release for this hospital & for YLO's provider so that staff can speak with you and coordinate discharge planning with you