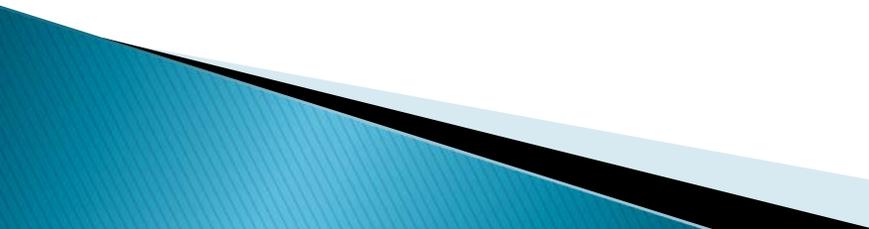


Outpatient Community Probate

A Civil Commitment For Outpatient
Treatment

Explanation of Outpatient Community Probate (OCP)

- ▶ A respondent (patient) who has been committed to the hospital by Court order is stabilized and discharged from the hospital. However, he/she remains under the jurisdiction of the Probate Court while receiving outpatient services.
 - ▶ This **outpatient commitment** is to the Hamilton County Mental Health and Recovery Services Board and one of the Board's designated service providers.
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Purposes of Outpatient Community Probate

- ▶ To provide a “safety net” of close monitoring and support in the community by the treatment providers in partnership with the HCMHR SB, MHAP and the Probate Court in order to prevent the respondent from suffering further episodes of serious decompensation as a result of not adhering to his/her outpatient treatment plan.
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How a Person is Placed on Outpatient Community Probate

- ▶ MHAP places the respondent on OCP at the request of the inpatient attending psychiatrist and inpatient treatment team at the time of discharge from inpatient hospitalization.
 - ▶ The Probate Court Magistrate orders the respondent be placed on OCP upon discharge from the hospital.
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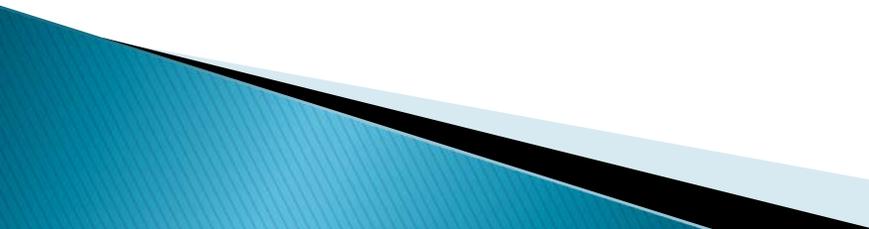
Outpatient Community Probate Hearings

- ▶ Periodic hearings are required by statute in order to determine if a respondent on OCP **continues** to be a mentally ill person in need of outpatient commitment or if he/she can receive treatment and maintain stability in the community setting on a voluntary basis.
- ▶ The frequency of OCP hearings is determined by the Probate Court with input from the agency providing the outpatient services. (Usually there are 6–12 month intervals between hearings.)

Requesting a Motion For Transfer of an OCP Patient to an Inpatient Facility

- ▶ To request a motion to transfer an OCP patient to the hospital, contact MHAP probate clinical review staff.
 - ▶ First contact Roger Gage RN BSN at 558-9503
 - ▶ If Roger is not available call 558-8888 and explain that you need to have a motion for inpatient treatment filed for a patient who is currently on OCP. You will then be directed to another MHAP clinical review staff person who can file a motion for inpatient treatment.
 - ▶ **Do not leave messages regarding the need to file a motion.**
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Requesting a Motion For Inpatient (Continued)

- ▶ The MHAP clinical review staff person will obtain from the case manager, and/or other witnesses, the clinical information needed to file an affidavit in support of a motion for transfer to an inpatient facility.
 - ▶ The information regarding the patient's condition **must be first hand reliable knowledge, not hearsay.** It must also indicate that the patient's condition is currently deteriorating and inpatient care is clearly warranted to prevent serious decompensation and/or harm to self or others.
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Requesting a Motion For Inpatient (Continued)

- ▶ A motion for return to an inpatient setting is based upon assessment and synthesis of multiple factors: mental status, judgment, behavior, insight, ability to meet the ordinary demands of life, capacity to recognize reality, adherence to medication regimen, living conditions, biomedical status, etc..
- ▶ Once sufficient clinical information indicating hospitalization is warranted has been obtained, the MHAP clinical review staff will file the necessary forms with the Court in order to have the patient conveyed to the hospital by the sheriffs.

Requesting a Motion for Inpatient (Continued)

- ▶ The MHAP clinical review staff must be contacted **prior to 2:00 pm** in order to have a motion for inpatient treatment processed through the court system and have the patient conveyed to the hospital by the sheriff on the same day.
- ▶ The reason for this is, the Probate Court and sheriffs stop work each day at 4:00pm. It takes approximately 2 hours to have a motion completely processed through all parties and have a hospital bed reserved.

Requesting a Motion For Inpatient (Continued)

- ▶ If a motion for inpatient is needed after 2:00pm, contact the Mobile Crisis Team at The University of Cincinnati Medical Center. The telephone number is 584-8577.
 - ▶ The Mobile Crisis Team can assess the patient and complete an Application for Emergency Admission if indicated.
 - ▶ Any time the patient poses an immediate danger to self or others call 911.
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Motion For Inpatient Hearing

- ▶ An OCP patient detained in a hospital as a result of a Motion For Transfer to an Inpatient Facility has a right to a Probate Court hearing to determine whether or not he/she should remain in the hospital due to mental illness.
 - ▶ This Motion For Inpatient hearing must occur within a maximum of 20 calendar days of the patient's admission to the hospital.
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Motion For Inpatient Hearing (Continued)

- ▶ The patient may be discharged from the hospital prior to the Motion For Inpatient hearing if the attending inpatient psychiatrist determines he/she is psychiatrically stable and does not pose a risk of harm to self or others.
 - ▶ The hospital must notify the Court of the discharge in writing. The Motion For Inpatient is then withdrawn and the patient is discharged. The patient still remains on OCP status.
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Motion For Inpatient Hearing (Continued)

- ▶ If the patient is not discharged prior to his/her Motion For Inpatient hearing date the hearing will go forward.
 - ▶ If the Court finds **clear and convincing evidence** that the patient is mentally ill, has decompensated in the community and poses a substantial risk of harm to self and others the Motion For Transfer to an Inpatient Facility is granted and the patient must remain in the hospital until stabilized.
 - ▶ If the Court does not find clear and convincing evidence, the motion is denied and the patient must be discharged from the hospital immediately.
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