

# Involuntary Admission (IVA) Case

## Involuntary Admission (IVA): Emergency Petition Application

A person can be involuntarily admitted to a psychiatric facility if they are determined by a physician and a second clinician to:

- 1. Mental disorder**
- 2. As a result of their mental disorder, be a danger to themselves or others.**

Maryland Code, Health-General § 10-615

## IVA: The Emergency Petition (EP) process

Emergency petition filed by any interested party

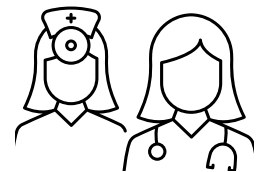
Authorized by police, clinician or judge



Executed by police taking person to hospital for examination

Emergency Department Evaluation within 6 hours

- Two medical professionals must certify 5 criteria for involuntary admission



Hospital determination

- Criteria not met: Voluntary treatment or discharge
- Criteria met: Search for inpatient psychiatric facility and involuntary commitment.



## IVA: Administrative Law Hearing Process

Within 10-17 days, an Administrative Law Judge rules on 5 criteria:

- (1) The individual has a **mental disorder**;
- (2) The individual **needs inpatient care or treatment**;
- (3) The individual **presents a danger to the life or safety of themselves or of others**;
- (4) The individual is **unable or unwilling to be admitted voluntarily**; and
- (5) There is **no available, less restrictive form of intervention** that is consistent with the **welfare and safety of the individual**.

# IVA: Administrative Law Hearing Outcomes

## If all five criteria are not met:

- Immediate discharge.

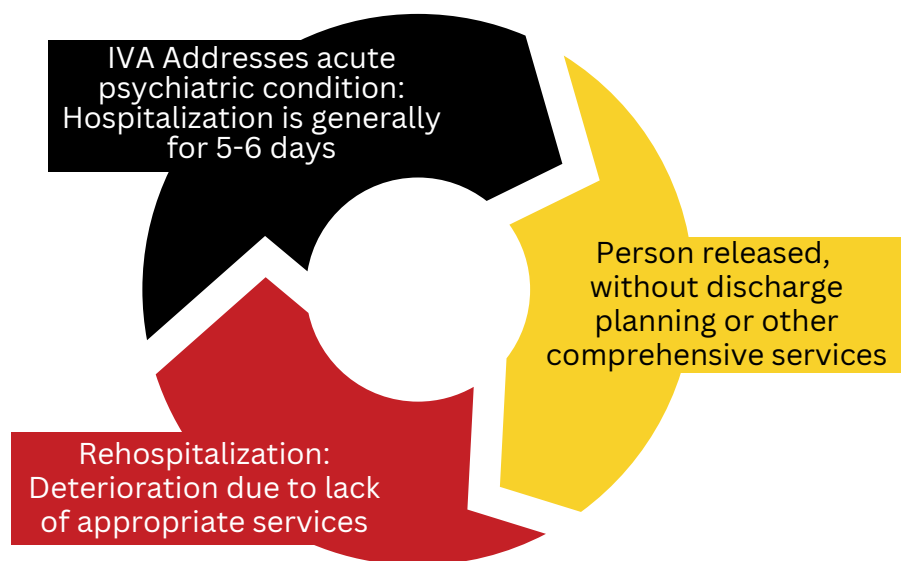
## If all five criteria are met:

- Involuntary Civil Commitment.
- During Commitment A Clinical Review Panel (CRP) may authorize forced medication.

## Commitment Duration:

- At end of 6 months, hospital can recertify the individual.
- Requires two medical professionals to examine and certify that the individual meets all 5 criteria.
- A new commitment hearing is then held to extend the individual's involuntary commitment.

## Ineffective Cycle of Forced Hospitalization



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