

Serving Minnesota Involuntary Holds

Due to a MN Interstate Agreement held with Polk County Social Services, Red River Behavioral Health System (RRBHS) is able to serve patients on Minnesota Emergency 72-hour Holds. While Polk County serves as a “host county” for this agreement, the contract allows any county in MN to access reciprocity for these involuntary services.

ELIGIBILITY CRITERIA:

Any person (regardless of age) who, in compliance with requirements specified in Minnesota Statute 253B.05, is determined by a credentialed examiner or peace/health officer to be mentally ill and in danger of causing injury to self or others if not immediately detained can be placed under an emergency hold order and referred to RRBHS.

EXCLUSIONARY CRITERIA:

1. Individuals with active involvement in the legal system (probation, parole, pending or active charges or investigations) – hold orders are not valid to cross state lines on these individuals unless preapproval is received by an officer of the court.
2. Those who are already being served under a Minnesota Civil Commitment for treatment of mental illness or chemical dependency. MN state law requires civilly committed patients seek services within the state in which they are committed.

TYPES OF MINNESOTA HOLD ORDERS: Each allowing a maximum of 72 hours (excluding weekends & holidays)

1. Emergency Holds (Examiner’s Statement)
 - a. Can be initiated by a licensed physician, licensed physician assistant, advanced practice registered nurse, or doctoral level psychologist.
 - b. An examiner’s statement provides sufficient authority for a peace or health officer to transport a patient to a treatment facility.
2. Peace or Health Officer Holds (Emergency Hold Order Application for Admission)
 - a. Peace and health officers may take an individual into custody and transport to treatment facility for evaluation if meeting the above eligibility criteria.
 - Peace officer: sheriff, municipal or other local police officer, or state patrol officer.
 - Health officer: licensed physician, licensed psychologist, licensed social worker, emergency room registered nurse, psychiatric or public health nurse, advance practice registered nurse, a mental health professional working with a mobile crisis intervention service or a formally designated member of a prepetition screening unit.

DISPOSITION OF HOLD ORDER:

Upon arrival to RRBHS, the involuntary patient is examined by attending psychiatrist. If psychiatrist agrees patient is mentally ill and in danger of causing injury to self or others if not immediately detained, RRBHS will contact MN county of residence to initiate the commitment process. County will assign a staff member to the case to complete a prescreen. The outcome of the prescreen will determine whether the county wishes to pursue commitment or allow the hold to expire or be dropped.

- If the county screening team wishes to pursue a commitment: a report is filed to their county attorney who makes final determination. If filed, a preliminary hearing court date is set.
- If the county’s decision is to drop or let the hold expire, the patient has the opportunity to sign into treatment voluntarily or leave the hospital.

RESOURCES: www.revisor.mn.gov/statutes
<http://www.namihelps.org/assets/PDFs/civilcommitmentSinglePg102108.pdf>