NEVADA DEPARTMENT OF CORRECTIONS
ADMINISTRATIVE REGULATION
653

ADMISSION AND DISCHARGE OF MENTAL HEALTH INMATE (TEMPORARY)

Supersedes: AR 653 (12/17/03)
Effective date: 02/28/11

AUTHORITY: NRS 209.131; NRS 209.351

RESPONSIBILITY

Medical Division staff has the responsibility to have knowledge of and comply with this procedure.

653.01 ADMISSION AND DISCHARGE OF MENTAL HEALTH INMATES AT THE MENTAL HEALTH UNIT (MHU)

1. An emergency transfer to the MHU may be approved by a practitioner (physician, physician assistant, or advanced practitioner of nursing) if the inmate appears to represent a danger to himself/herself or others.

2. For evaluation for admission to a Mental Health Unit, the Mental Health Team at the institution housing the inmate will:

A. Conduct a clinical interview and appropriate psychological assessment.

B. Initiate crisis intervention procedures, as appropriate.

C. Document, in writing, the nature of the mental health problem.

D. Estimate the degree of urgency entailed:

Category I Immediate, i.e., high risk circumstances;

Category II Urgent (non-emergency), as soon as practical;

Category III Elective (non-urgent), may be scheduled.

3. After proper assessment an inmate may be admitted on a voluntary basis, or as an involuntary admission.

4. Voluntary admission to MHU requires only an order by the practitioner authorizing the admission; and a signed consent form indicating the inmate's agreement with the admission.

5. If an inmate refuses to sign the admission consent form and the staff has determined the admission is necessary for safety or evaluation purposes, the inmate's refusal to concur with the admission will be regarded as an involuntary admission subject to the following steps:

A. Written notice must be given to the inmate;

B. The notice will serve to inform the inmate that admission to MHU is being considered for mental health reasons and that a hearing has been scheduled to determine the need for this housing change/admission to an MHU; and

C. The notice will include the date and time of the hearing.

6. A hearing before an Interdisciplinary Classification Committee (ICC) should be scheduled within five (5) working days of an involuntary admission.

A. Membership of the ICC will consist of the Warden/designee and two mental health professionals who are not directly involved in the diagnosis or treatment of the inmate.

B. The ICC should consider all relevant information which relates to the decision by mental health staff to admit the inmate.

C. The inmate should have the opportunity to see or discuss such information and to present any other information on their behalf that is reasonable and available.

D. The inmate may be provided with access to a mental health staff person, not involved in the inmate's treatment, to speak in their behalf if the inmate wishes.

7. The ICC should base a decision on the following factors:

A. Whether the inmate poses an immediate risk to self or others;

B. Whether the inmate suffers from a mental illness or other significant psychiatric disorder such that immediate treatment in an MHU is necessary to prevent further deterioration of the inmate's condition;

C. Whether the inmate is in need of an evaluation conducted in the MHU to clarify the presence/absence of a mental disorder, and a need for treatment of any disorder that is identified.

8. The ICC should document the decision as to the necessity of the admission in the inmate's medical record and the inmate will be advised of the determination.

9. If the ICC determines that the inmate is not in need of evaluation or treatment in the MHU, the inmate should be discharged.

A. An inmate should be discharged from an MHU when, in the opinion of the treatment staff, the inmate has achieved maximum treatment benefit, and is able to receive necessary treatment at a lower level of care.

653.02 CLASSIFICATION PROCEDURES AND REVIEWS:

1. All inmates who are admitted and discharged from an MHU will be subject to the usual and required classification procedures that govern the movement of inmates within the Department.

A. In addition; inmates who are admitted on an involuntary basis, and remain in that status, will be reviewed by the ICC within thirty (30) days and every ninety (90) days thereafter, until voluntary status or discharge is achieved. Inmates in voluntary status will be reviewed as needed, or within 180 days.

2. At each of the required classification hearings, if the inmate is not to be discharged and is in the unit involuntarily, the following will apply:

A. At the classification hearing, the information relied upon for the proposed continued confinement in the MHU will be disclosed to the inmate;

B. The inmate will be given the opportunity at the hearing to be heard in person and to present documentary evidence;

C. The decision of the ICC and the reasons therefore will be documented in NOTIS.

APPLICABILITY

1. This regulation requires a medical directive for admission and discharge of Mental Health inmates.

2. This regulation does not require an audit.

R. Bruce Bannister, D.O., Medical Director — Date: 2-14-2011

James G. Cox, Director — Date: 2/16/11