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North Sound Behavioral Health Administrative Services Organization, LLC

Section 1500 – Clinical: Revocation of Less Restrictive/Conditional Release (LR/CR) Orders

Authorizing Source: HCA Contract

Approved by: Executive Director Date: 02/16/2021 Signature:

POLICY # 1561.00

SUBJECT: REVOCATION OF LESS RESTRICTIVE/CONDITIONAL RELEASE (LR/CR) ORDERS

PURPOSE

To standardize the coordination process between Behavioral Health Agencies (BHAs) and Designated Crisis Responders (DCR's) initiating a petition for revocation of an LR or CR Order.

POLICY

Revised Code of Washington (RCW) 71.05.590 establishes criteria for revocation procedures of an LR/CR Order for adults and RCW 71.34.780 provides guidance on revocation procedures for minors.

Prior to contacting the DCR office to initiate revocation procedures BHA's identified Care Coordinator shall consider the following:

Criteria for Adults

1. A flexible range of responses of varying levels of intensity appropriate to the circumstances and consistent with the interests of the individual and the public, with regard to personal autonomy, safety, recovery, and compliance. Available actions may include, but are not limited to, any of the following:
 - a. To counsel, advise, or admonish the person as to their rights and responsibilities under the court order, and to offer appropriate incentives to motivate compliance;
 - b. To increase the intensity of outpatient services provided to the person by increasing the frequency of contacts with the provider, referring the person for an assessment for assertive community services, or by other means;
 - c. To request a court hearing for review and modification of the court order.
 - d. To cause the person to be transported by a peace officer, designated crisis responder, or other means to the agency or facility monitoring or providing services under the court order, or to a triage facility, crisis stabilization unit, emergency department, evaluation and treatment facility, secure withdrawal management and stabilization facility with available space, or an approved substance use disorder treatment program with available space.
 - e. To initiate revocation procedures.
2. The DCR may order the individual to be temporarily detained for up to twelve (12) hours in or near the county in which he or she is receiving court ordered outpatient treatment if the DCR determines that:
 - a. The person fails to comply with the terms and conditions of his or her court order;
 - b. The person experiences substantial deterioration in his or her condition;

- c. There is evidence of substantial decompensation with a reasonable probability the decompensation can be reversed by further inpatient treatment; **or**
- d. The person poses a likelihood of serious harm.

Criteria for Minors

If the care coordinator in charge of monitoring the court order has determined that revocation procedures need to be initiated, the Care Coordinator may notify the DCR. The DCR may order the minor to be taken into custody and transported to an appropriate facility for temporary detainment.

PROCEDURE

1. In all cases, when the BHA makes a specific request for a petition for revocation of a court order, the request shall be initiated through Volunteers of America (VOA) and include a written affidavit detailing specific facts in support of the revocation which should include:
 - a. The date and time the provider last personally evaluated the person; **and**
 - b. The specific conditions of the LR/CR Order which have been violated; **and**
 - c. Specific behaviors demonstrating substantial deterioration; **and**
 - d. Specific behaviors indicating an increased likelihood of serious harm; **and**
 - e. Interventions attempted by the Outpatient Provider to maintain the individual in the community; **and**
 - f. By what means the individual would benefit from inpatient treatment.
2. BHA Care Coordinators requesting revocation shall coordinate and collaborate with VOA or the DCR office around the revocation process.
3. Should a revocation hearing be scheduled, the BHA's provider or Care Coordinator is expected to testify.
4. If the individual's court order is revoked and the individual returns to an inpatient unit, a treating Psychiatrist or Psychiatric ARNP can discharge the individual from the inpatient facility at any time without a hearing.

ATTACHMENTS

None