

**San Bernardino County
Department of Behavioral Health
Office of Patients' Rights**

AB2275 Question and Answers

Following DBH - Hospital Association of Southern California Meeting (March 15)

1) Q: Can you please offer guidance as to whom we should follow up with to initiate the contract with PRA. Is there a specific PRA that is being assigned to the different hospitals that we should connect with of the list of those that are vetted?

1) A: There is no need to contract with the Office of Patients' Rights or a Patients' Rights Advocate (PRA).

The requirement for non-designated facilities is to notify the San Bernardino County (County) Office of Patients' Rights when a person's detention exceeds 72-hours.

County Office of Patients' Rights will assign a PRA to follow-up with the facility and arrange for the Certification Review Hearing.

Each non-LPS designated facility *will* have to contract with an approved hearing officer entity or individual, for Certification Reviewing Hearing services. The "Approved Hearing Officers List" can be located on the DBH website on the Patients' Rights webpage under "New Legislation": <https://wp.sbcounty.gov/dbh/patientsrights/>

2) Q: Who will be available to come speak to our staff on this? Regarding training opportunities?

2) A: Guidance regarding Certification Review Hearing process for non-designated facilities is provided available on the County Department of Behavioral Health (DBH) website, on the "Patients' Rights" webpage under "New Legislation":

<https://wp.sbcounty.gov/dbh/patientsrights/>

The following documents can be found under "New Legislation":

- Letter to Non-LPS Hospitals
- Guidance for 5150 Detainment
- Notice of Patients' Entitlement
- AB2275 Flow Chart
- Approved Hearing Officers List

3) Q: If a 5150 hold is written on an individual at a voluntary location such as a CSU/CWIC, CRT, outpatient DBH clinic, etc.; who is notifying Patients' Rights? Is it the hospital when the client gets there and is officially accepted under their custody, or is it the setting that initially wrote the hold, such as the CSU/CWIC, CRT, outpatient DBH clinic, etc.? There are times when these voluntary locations write a hold, but the client then chooses to leave the voluntary location

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prior to being transported to the hospital, or the hospital chooses to break the hold upon arrival when assessing the client.

3) A: Notification to County Office of Patients' Rights occurs when the 5150 detention exceeds the 72-hours in any facility. It is the responsibility of the facility, where the individual is being detained, to notify the Office of Patients' Rights.

4) Q: Could there be a Webex open discussion and information outline meeting with the county on this new process?

4) A: There will be a scheduled "follow-up" meeting (date to be determined), following the initial DBH-HASC Meeting held on March 15. This can be an "open discussion" to further go over the process.

5) Q: There is mention of a "voluntary treatment form" on the PR006 page 1 form. We do not have a voluntary treatment form and where can we get this.

5) A: Please see the California Department of Health Care Services (DHCS) link below, specifically the **DHCS 1812: Voluntary Admission Application for Mentally Disabled Person** form:

https://www.dhcs.ca.gov/formsandpubs/forms/Pages/Mental_Health-Forms.aspx

It is recommended that non-LPS designated facilities utilize the **DHCS 1812** form as a template to create a volunteer admission form for the facility.