

Topic list for legislative rewrite of NRS 433A and additional sections

General:

- a. Review **structure of mental health crisis hold process in 433A and create definitions for clarity:**
 - i. **Emergency mental health crisis hold:** (contains application, medical clearance and certification)
 1. “a person taken into custody for a period of up to 72 hours for assessment, evaluation, crisis intervention, treatment or placement for evaluation and treatment.
 - ii. Voluntary admission
 - iii. Emergency admission (to inpatient psychiatric facility)
 - iv. Court continuance while in hospital
 - v. Court ordered admission
- b. Clarify **psychiatric deterioration** criteria or insert regulation on criteria for clarification.
 - i. Reflects current evidence showing that individual may experience irreparable harm through continued untreated mental health crisis.
- c. Mandate that patient is provided with choice of options for treatment while on a hold (further research needed)

Court issues:

1. Adjust **Assisted Outpatient Treatment process** per national recommendations.
2. Update and clarify **conditional release** process (authorize conditional release in communities that have resources)
3. Clarify/ update process for when a **patient is not medically cleared to go into inpatient psychiatric treatment but requires petition to extend hold**. Include mechanism to indicate finality. (433A.165)
4. Clarify when someone has been admitted to inpatient mental health facility and experiences medical crisis which requires medical transfer
5. Clarify/ develop **family** petition process for court ordered protective custody and transport for application for emergency petition (433A.160)
 - a. Delete direct petition for court ordered admission petition
6. Consider telecourt: possible develop best practices/ regulations
7. Update **court sealing of records to** include patients in AOT or not under court-ordered admission (the law currently only covers post court ordered admission)

County issues:

1. Clarify/ update **where the petition is filed** (county of treatment versus residence) (NRS433.165)
2. Clarify transfer process between counties

3. Clarify **evaluation teams** versus certified evaluation teams.
4. Clarify/ **update patient transport process pre/ post involuntary court ordered admission**

Hospital/ state issues:

1. Update **chemical restraint** definition
2. Medical clearance: creating flexibility in the system

Youth

1. Clarify **parental consent for transportation and medical clearance** (regulations)
2. **Clarify funding responsibility** for youth on mental health crisis holds needing transportation and/or treatment
3. **Identify opportunities to support informed decision making for parents with youth in mental health crisis**
4. **Release of mental health crisis holds for youth when parental consent** is provided.
5. **Clarify process for continuation of hold without parental consent** by clarifying that child welfare agencies are to petition courts for court ordered admission.
 - a. **Clarify process for court ordered admission and consider evaluation team for due process.**
6. **Align/ Separate 432B and 433A criteria-** ensure parity for youth in mental health crisis with parental consent versus youth in mental health crisis under child welfare agency protection.
7. Clarifying and separating processes for **youth under child welfare agency protection who are being admitted to psychiatric inpatient facilities and residential facilities.**
8. **Clarify mandate to attempt to contact parents during hold process (should attempt upon initiation of hold versus after admission into psychiatric facility)** in cases where minor is emancipated etc.