

# Forensic Mental Health Triage Consultation and Expedited Admission Guide for **Defense Counsel and Prosecutors** 2019-2020

**Behavioral Health  
Administration**



Office of Forensic Mental Health Services  
PO Box 45320 • Olympia, WA 98504-5320



Washington State  
Department of Social  
& Health Services

*Transforming lives*



## ACKNOWLEDGEMENTS

The preparation of this guidebook involved the contributions of many individuals from the State of Washington, including staff from the Behavioral Health Administration, Office of Forensic Mental Health Services and Office of the Attorney General. In addition, the State of Washington acknowledges the contributions from Danna Mauch, Ph.D. and Debra A. Pinals, M.D. as well as Disability Rights Washington.

## Table of Contents

ACKNOWLEDGEMENTS.....	2
WHO IS THIS GUIDE MEANT FOR? .....	4
ABOUT THE FORENSIC MENTAL HEALTH SYSTEM .....	5
CRITERIA FOR EXPEDITED ADMISSION.....	5
HOW TO REQUEST AN EXPEDITED ADMISSION .....	6
ADDITIONAL RESOURCES .....	8

### **DISCLAIMER**

This guide is not meant to replace the expertise and knowledge of medical and mental health professionals. This guide is to be used solely for navigating the triage admission process implemented by the Office of Forensic Mental Health Services (OFMHS) and increasing the efficiency of the process to identify individuals ordered for competency restoration or evaluation services and awaiting admission for those services whose current presentation necessitates consideration for expedited admission.

# **Forensic Mental Health Triage Consultation and Expedited Admission Guide for Defense Counsel and Prosecutors**

Behavioral Health Administration  
Office of Forensic Mental Health Services

## **WHO IS THIS GUIDE MEANT FOR?**

---

The Washington State Department of Social and Health Services (DSHS) Behavioral Health Administration (BHA) Office of Forensic Mental Health Services (OFMHS) oversees the admission process for persons court-ordered into competency evaluation and restoration services. In addition, OFMHS offers a Triage Consultation and Expedited Admission service that prioritizes the admission of Trueblood class members (defined as individuals who are court-ordered into competency evaluation and/or restoration services and who await those services in jail). Prioritized class members require rapid admission into inpatient psychiatric services because of risk of harm to themselves or others due to their high level of psychiatric symptoms. This user-friendly guidebook provides an overview of the triage system, details criteria for expedited admission and clarifies the process for defense counsel or prosecutors to submit a request. We hope that our system partners find this guide to be a useful tool to understand the triage system and its potential applicability to the people who are on their caseload and court-ordered to competency evaluation and/or restoration services.

This manual is specifically intended for the use of defense counsel and prosecutors who are involved in competency evaluation or restoration requests and hearings and, therefore, are in a unique position to know the defendants who may be in need of these services. This guide aims to provide information to defense counsel or prosecutors when there is consideration to submit a request for expedited admission.

For questions and comments regarding Forensic Mental Health Triage, please contact the OFMHS Liaison and Diversion Specialist by email [triageconsult@dshs.wa.gov](mailto:triageconsult@dshs.wa.gov) or by phone at 360-725-2265.

Behavioral Health Administration  
- Office of Forensic Mental Health Services

## ABOUT THE FORENSIC MENTAL HEALTH SYSTEM

---

The DSHS's Office of Forensic Mental Health Services, with headquarters in Lacey, is responsible for the leadership and management of the Department's adult forensic mental health care system. The OFMHS provides forensic evaluations, competency restoration, Not Guilty by Reason of Insanity (NGRI) treatment services and liaison services to effectively coordinate efforts with system partners to meet shared goals. The OFMHS additionally provides ongoing training and technical assistance to improve quality and timeliness of forensic mental health services, data management and resource allocation, training and certification of evaluators, and quality monitoring and reporting. The OFMHS works in collaboration with community partners to implement robust diversion efforts to prevent individuals with mental illness from entering the criminal justice system. For more information regarding entities within the Washington State Forensic Mental Health System, please visit the OFMHS website:

<https://www.dshs.wa.gov/bha/office-service-integration/office-forensic-mental-health-services>

Within the forensic system, OFMHS helps manage the referral process for the forensic units at our state psychiatric hospitals and forensic Residential Treatment Facilities. As part of that referral process, OFMHS operates a triage consultation and expedited admission system to facilitate the expedited admission of Trueblood class members who meet certain criteria that would justify prioritizing admission to a state psychiatric hospital. Please note that **the triage system is not appropriate for people in need of acute or emergency medical services** as those individuals should be appropriately assessed and referred to an emergency department or an appropriate medical care provider.

## CRITERIA FOR EXPEDITED ADMISSION

---

The criteria for a defendant who is court-ordered into competency evaluation and/or restoration services to be considered for expedited admission are:

- **Active suicidal intent, or actions such as suicide attempts or serious self-inflicted injury; and/or**
- **Inability to meet basic needs that puts the individual's health at risk, such as not eating or drinking for a sufficient period of time which could lead to medical consequences.**

The criteria are based on the rationale that people who meet these criteria are at particularly high risk of harm to themselves or others and require expedient admission into an inpatient psychiatric care setting. ***If an individual is engaging in any of those behaviors, a request for expedited admission is recommended. When in doubt, please make the request.***

**NOTE: An order for forced medication by itself is not a condition for expedited admission and would not by itself automatically trigger a request for consideration for expedited admission.**

If there are concerns that a defendant detained in custody is not receiving proper medical attention, please be sure to notify the jail medical and mental health staff providing care to inmates in jail. Trueblood class members, as with any individual housed in a jail presenting with acute medical needs, should be appropriately assessed and provided the appropriate level of care they require. The state psychiatric hospitals are not acute medical hospitals and are never a substitute for appropriate and necessary medical care.

## HOW TO REQUEST AN EXPEDITED ADMISSION

---

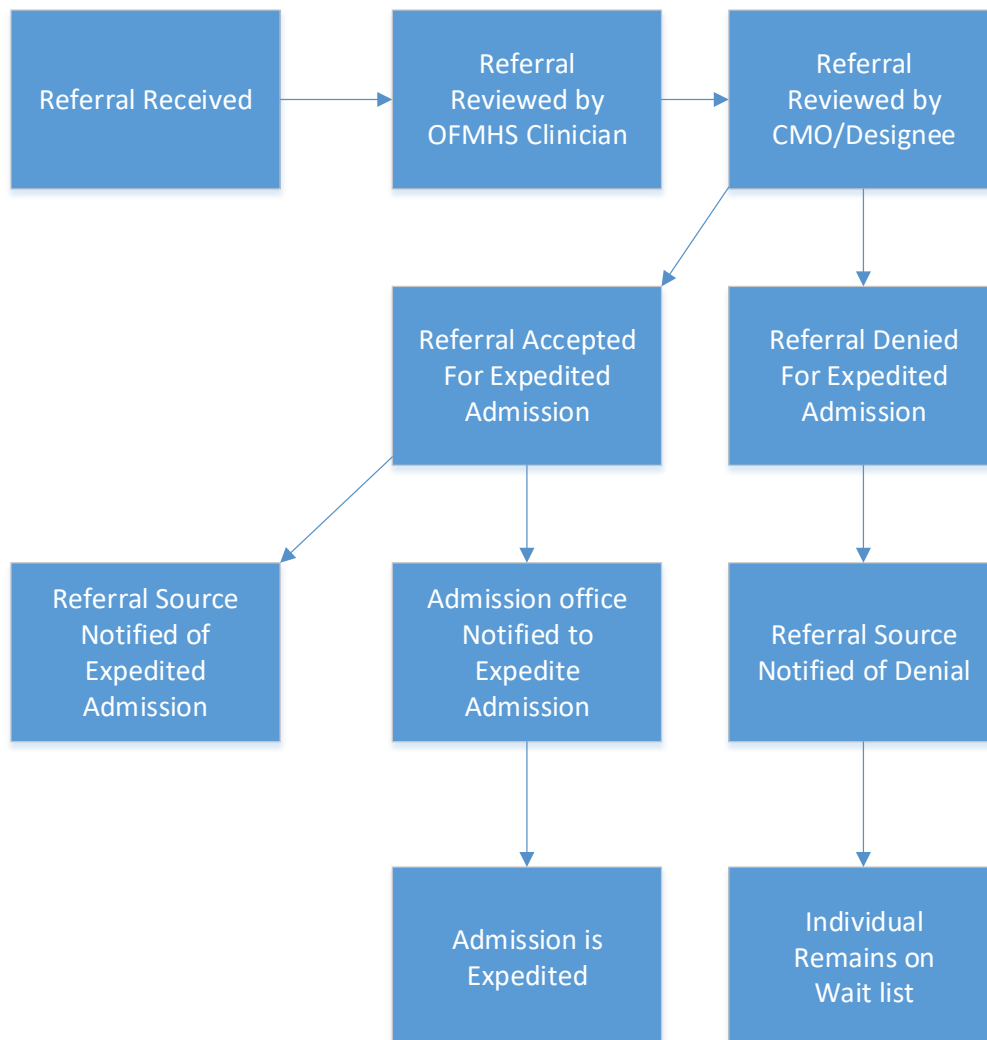
Legal counsel may request expedited admission of an individual by submitting an email to [triageconsult@dshs.wa.gov](mailto:triageconsult@dshs.wa.gov) that provides specific information as to why the attorney believes the individual meets the criteria for expedited admission. This information can be in a paragraph describing how the individual's actions or behavior causes them to currently be at serious risk of harm to themselves or others or unable to meet their basic needs. Please also include a description of their legal status.

Confirmation of receipt of the request will be provided within 24 hours (excluding weekends and holidays) to the referring party. There may be communication back and forth between OFMHS and the defense counsel or prosecutor regarding aspects of the case (e.g., is there a court order for involuntary psychotropic medication administration?). In most cases the initial email from the defense counsel or prosecutor completes the request and triggers the next step in the process whereby OFMHS works with the jail to complete the referral packet, which includes clinical information to support the request. If you have any questions about the request process, please call 360-725-2265.

**NOTE:** If an individual is at *imminent* risk of harm due to a mental disorder, and is legally eligible for possible release from jail into an Evaluation and Treatment facility, the local Designated Crisis Responder (DCR) should be contacted to evaluate the individual and, if needed, to facilitate emergent admission to a psychiatric facility. DCRs are available 24/7 to evaluate for risk of harm.

Upon receipt of the request for expedited admission from the defense counsel and/or prosecutor, an OFMHS staff person will contact the jail and inform them that an attorney request for expedited admission has been made and ask that the jail staff complete a referral packet. The referral packet will contain clinical information (medical and mental health records) to support the attorney's request.

Once the referral packet has been received from the jail, within 24 hours of receipt an OFMHS clinician will review the information provided and then make a recommendation as to whether the individual meets the criteria for expedited admission. Within 24 hours of the clinician's review, the referral will be forwarded to the respective state hospital's Chief Medical Officer (CMO) or designee for the decision of expedited admission, and the CMO or designee makes a determination within 48 hours of receipt. If the CMO or designee decides to accept the case for expedited admission, the admission staff at the state hospital is notified of this decision and coordinates with the jail to arrange for the earliest possible admission to the psychiatric hospital's forensic unit. OFMHS will also notify the defense counsel and prosecutor of the expedited admission. If the CMO or designee decides to deny the referral, then OFMHS is notified of this denial and then informs the jail of the denial, along with the defense counsel and prosecutor. The following flow chart (Figure 1) represents the usual steps involved in the process:

**Figure 1: TRIAGE Process**

**NOTE: A referral for expedited admission can be submitted at any time even if a previous application for the same person was denied.**

If after the referral has been submitted but new information becomes available that would inform/supplement the request, please send the material to the submission email, [triageconsult@dshs.wa.gov](mailto:triageconsult@dshs.wa.gov), as soon as possible.

If you have questions, comments, suggestions or any other information pertaining to Forensic Mental Health Triage, please contact the designated OFMHS Liaison and Diversion Specialist at 360-725-2265.

## ADDITIONAL RESOURCES

---

The following resources provide general information and are not specifically associated with the Triage process.

**Substance Abuse and Mental Health Services Administration, GAINS Center. Trauma Training for Criminal Justice Professionals [website](#).**

**Substance Abuse and Mental Health Services Administration. Trauma-Informed Care in Behavioral Health Services [website](#).**

**The treatment of persons with mental illness in prisons and jails: a state survey. Treatment Advocacy Center and National Sheriff's Association [website](#).**

**Washington State Administrative Office of the Courts [website](#).** The site provides forms that are used statewide in Washington Courts.

**Washington State Legal System Guide to Forensic Mental Health [link](#).**

**Washington State Forensic Mental Health Consultant Review Final Report [website](#).**

**Washington State Office of Forensic Mental Health Services [website](#).**