

INVOLUNTARY PSYCHIATRIC HOSPITALIZATION WHEN A CHILD IS IN CRISIS

Welfare and Institutions Code Section 5150 governs the conditions under which a child who is experiencing a psychiatric crisis may be involuntarily hospitalized. The child must, as a result of a mental disorder, be “gravely disabled” or pose a danger to him/herself or others. Welfare and Institutions Code 5585.25 defines “gravely disabled minor” as: “...a minor who, as a result of a mental disorder, is unable to use the elements of life which are essential to health, safety, and development, including food, clothing and shelter, even though provided to the minor by others. Mental retardation, epilepsy or other developmental disabilities, alcoholism, other drug abuse or repeated antisocial behavior do not, by themselves, constitute a mental disorder.”

Only peace officers, members of the attending staff of an evaluation facility designated by the County, such as a Department of Mental Health clinic or a specified psychiatric hospital or designated members of a mobile crisis team (in Los Angeles County, the Psychiatric Emergency Teams), are authorized to take a child into custody and place him or her in a psychiatric hospital. The child may be held in the facility for a period of up to 72 hours, excluding holidays and weekends. This is colloquially referred to as a “5150 hold.”

If a child is thought, under these conditions, to qualify for an involuntary admission, the child must be evaluated by an individual designated to authorize such an admission. This can be accomplished by contacting the Psychiatric Emergency Team. If the child is displaying symptoms suggesting he or she cannot be safely transported, a Psychiatric Emergency Team will be dispatched to the child’s location. As a last resort, in an emergency, law enforcement should be contacted.

The Los Angeles County Department of Mental Health maintains a 24-hour hotline (800-854-7771). If a parent or caregiver were to call this number, a representative from the Department of Mental Health would assist him or her in determining the appropriate method of, and location for, having the child evaluated.

If the child is hospitalized, (s)he may be held for an initial 72-hour evaluation and treatment regimen. If, in the view of the child’s treating psychiatrist, intensive treatment is still required at the end of the 72-hour period, a review hearing will be conducted and a judicial officer will render a decision as to whether an additional 14 or 30 days of hospitalization is warranted. This procedure may be repeated and, if the child fails to improve, a conservator may be appointed for him or her (see below, Part B).