

SUMMARY OF CHANGES TO OHIO COMMITMENT LAW

http://www.legislature.state.oh.us/bills.cfm?ID=129_SB_350

In SB 350 - you'll need to scroll down to 5122.01, 5122.27, and 5122.31 of the Revised Code that are scheduled to take effect on October 1, 2012, to make changes to the laws governing the civil commitment of and treatment provided to mentally ill persons.

Sec. 5122.01. As used in this chapter and Chapter 5119. of the Revised Code:

(A) "Mental illness" means a substantial disorder of thought, mood, perception, orientation, or memory that grossly impairs judgment, behavior, capacity to recognize reality, or ability to meet the ordinary demands of life.

(B) "Mentally ill person subject to ~~hospitalization by court order~~" means a mentally ill person who, because of the person's illness:

- (1) Represents a substantial risk of physical harm to self as manifested by evidence of threats of, or attempts at, suicide or serious self-inflicted bodily harm;
- (2) Represents a substantial risk of physical harm to others as manifested by evidence of recent homicidal or other violent behavior, evidence of recent threats that place another in reasonable fear of violent behavior and serious physical harm, or other evidence of present dangerousness;
- (3) Represents a substantial and immediate risk of serious physical impairment or injury to self as manifested by evidence that the person is unable to provide for and is not providing for the person's basic physical needs because of the person's mental illness and that appropriate provision for those needs cannot be made immediately available in the community; or
- (4) ~~Would benefit from treatment in a hospital for the person's mental illness and is in need of such treatment as manifested by evidence of behavior that creates a grave and imminent risk to substantial rights of others or the person due to all of the following:~~
 - (a) The person is unlikely to voluntarily participate in treatment.
 - (b) The person has demonstrated difficulty in adhering to prescribed treatment.
 - (c) The likelihood that, if the person is not treated, the person's current condition will deteriorate to the point that the person will meet the criterion in division (B)(1), (2), or (3) of this section.

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(V) "Treatment plan" means a written statement of reasonable objectives and goals for an individual established by the treatment team, with specific criteria to evaluate progress towards achieving those objectives. The active participation of the patient in establishing the objectives and goals shall be documented. The treatment plan shall be based on patient needs and include services to be provided to the patient while the patient is hospitalized ~~and, after the patient is discharged, or in an outpatient setting.~~ The treatment plan shall address services to be provided upon discharge, including. The services may include, but are not limited to housing, financial, and vocational services all of the following:

(1) Community psychiatric supportive treatment;

(2) Assertive community treatment;

(3) Medications;

(4) Individual or group therapy;

(5) Peer support services;

(6) Financial services;

(7) Housing or supervised living services;

(8) Alcohol or substance abuse treatment;

(9) Any other services prescribed to treat the patient's mental illness and to either assist the patient in living and functioning in the community or to help prevent a relapse or a deterioration of the patient's current condition.