

 <p style="text-align: center;">County of Sacramento Department of Health and Human Services Division of Behavioral Health Services Policy and Procedure</p>	<p>Policy Issuer (Unit/Program)</p>	<p>QM</p>
<p>Title: 5150 Welfare & Institutions Code Certification & Designation</p>	<p>Functional Area: Target Populations & Array of Services</p>	
<p>Approved By: (Signature on File) Signed version available upon request</p> <p>Alex Rechs, LMFT Program Manager, Quality Management</p> <p>Ryan Quist, Ph.D. Behavioral Health Director</p>		

BACKGROUND/CONTEXT:

The Sacramento County Department of Health and Human Services, Division of Behavioral Health Services involuntary detention policies are based, in part, on Welfare and Institutions Code 5150 and 5651.7. These codes allow the County Mental Health Director and/or their Designees to submit an application on behalf of an individual for the purposes of involuntary psychiatric detention for evaluation and treatment. Section 5150 states “...when any person, as a result of mental disorder, is a danger to others, or to himself or herself, or gravely disabled, a peace officer, member of the attending staff, as defined by regulation, or an evaluation facility designated by the county, designated members of a mobile crisis team provided by Section 5651.7, or other professional person designated by the county may, upon probable cause, take, or cause to be taken, the person into custody and place him or her in a facility designated by the county and approved by the State Department of Mental Health as a facility for 72-hour treatment and evaluation.”

The oversight of the 5150 designation process is the responsibility of Quality Management Services within the Sacramento County Division of Behavioral Health Services.

DEFINITIONS:

5150 Designee:

A mental health professional authorized by the Behavioral Health Director to write a 5150 application for an individual to be involuntarily detained for psychiatric evaluation and treatment for those who, due to a mental disorder, may constitute a danger to self, a danger to others, and/or may be gravely disabled. 5150 designees are also responsible and authorized by the Behavioral Health Director to lift the application/5150 hold if it is determined, through a clinical assessment, that they no longer meet the criteria for detention.

Designees are authorized to hold this authority and responsibility, within the scope of their employment, to access and complete a 5150 application for an individual to be involuntarily detained for psychiatric evaluation and treatment for those who, due to a mental disorder, may constitute a danger to self, a danger to others, and/or may be gravely disabled. They are also authorized by the Behavioral Health Director to lift the application/5150 hold if it is determined, through a clinical assessment, that they no longer meet the criteria for detention.

Designees are required to complete a County authorized 5150 Certification or Re-Certification Training and successfully pass the 5150 examination.

Under the sole discretion of the Behavioral Health Director, the authority to grant 5150 designation to those that meet the 5150 designee qualifications, may be delegate to specified organizations, such as a 5150 designated facility.

5150 Site Coordinator:

Under the sole discretion of the Behavioral Health Director, the authority to grant 5150 designation may be delegated to specified organizations, such as a 5150 designated facility. Each delegated organization will be required to name a 5150 Site Coordinator. This is an employee appointed by an agency to oversee the 5150 agency Designees and the Designee List procedures. The Site Coordinator is responsible for maintaining the 5150 Designee List and submitting corrections and/or Designee changes to Quality Management as indicated.

Site Coordinators are also responsible for the receipt and dissemination of materials regarding 5150 policies and procedures, training, and other relevant information to staff at their agency site who have 5150 authority. Site Coordinators screen employees prior to their registration for 5150 training to insure staff met the minimum qualifications. Site Coordinators submit any special requests on behalf of Designees at their site (such as a request for an exception to the minimum qualifications, or requesting a Designee be authorized at multiple sites). Site Coordinators may not submit special requests in their own behalf; the Site Coordinator's supervisor needs to submit any special requests on behalf of the Site Coordinator.

5150 Designee Qualifications:

The minimum qualifications to become a 5150 Designee include these disciplines:

- A. Licensed Physician/Psychiatrist
- B. Licensed Psychologist
- C. Licensed Clinical Social Worker
- D. Licensed Marriage Family Therapist
- E. Licensed Registered Nurse
- F. Licensed Vocational Nurse
- G. Licensed Psychiatric Technician
- H. Mental Health Rehabilitation Specialist, as defined by Title 9 California Code of Regulations and approved by the Mental Health Plan – In consultation with a Licensed Clinician (A – D)
- I. Staff waived by the Mental Health Plan to provide services as a Licensed Practitioner of the Healing Arts (not a category at Designated Facilities) – In consultation with a Licensed Clinician (A - D)
- J. Authorized Medical Residents

Any consideration of deviations from the minimum qualifications shall be submitted by written request, to be reviewed by the Quality Management Services Program Manager and/or their representative(s), with recommendations from County Children's and Adult Program Monitors. Determination of eligibility will be on a case-by-case basis, and approval will be issued at the discretion of the Quality Management Services Program Manager and/or their representative(s).

When an employee does not meet the minimum Designee qualifications, the Site Coordinator may submit a letter on agency letterhead requesting an exception to the minimum qualifications of any employed staff. The written request needs to include information regarding the employee listed on the "*Instructions for Special Requests*" document provided to all Site Coordinators, offering sufficient details to review and determine approval or denial of the request.

- Without an exception, the employee will not be authorized to attend the training.
- The exception must be granted *prior to registration* for 5150 Certification Training.
- Site Coordinators cannot write a request for exception in their own behalf.
- The Site Coordinators' Supervisor needs to initiate any requests on behalf of Site Coordinators with the rationale for the request.

At Designated Facilities, Hospital Administrators and/or their representative(s), shall determine and be responsible for the assignment of individual Designee staff within the facility - for example, utilizing

medical residents that are allowed to practice medicine by virtue of meeting the standards for CA licensure while in a supervised training program.

5150 Designated Facilities:

Per the authority of the Sacramento County Board of Supervisors (Board Resolution No. 95-0529, 2010-0070; 2010-0071, 2012-0628), the following are designated as 5150 facilities in Sacramento County:

- Sacramento County Mental Health Treatment Center
- BHC Heritage Oaks Hospital
- BHC Sierra Vista Hospital
- Sutter Center for Psychiatry
- Jail Psychiatric Services (Inpatient Unit)
- Sacramento Veterans Affairs Medical Center
- Crestwood Psychiatric Health Facility Carmichael
- Crestwood Psychiatric Health Facility Sacramento
- Sacramento County Intake Stabilization Unit (ISU)
- Behavioral Health Crisis Services Collaborative (BHCS) Crisis Stabilization Unit

PURPOSE:

The objective of this policy and procedure is to standardize Sacramento County's 5150 designation process by providing clear guidelines and definitions regarding related procedures.

DETAILS:

Designee Privilege:

The 5150 Designee Privilege occurs with specific distinctions between individual Designees and authorized staff at 5150 Designated Facilities.

Outpatient System Designee Privilege:

In the Outpatient System, Designee Privilege occurs by:

1. Successful completion of the County 5150 Certification or Re-Certification Training:
 - **Certification Class:** To become certified as a 5150 Designee for the *first time*, **or** if *expired* **or** to *prevent expiration*.
 - **Re-Certification Class:** For staff *currently certified* as a 5150 Designee.

For successful class completion, individuals must *attend the entire training* and have *passing exam scores*. Designees that successfully complete the County 5150 training are added to the next 5150 Designee List distributed to all Site Coordinators following the class. Site Coordinators are notified in a separate correspondence when attendees do not pass the class/exam.

OR

2. Successful completion of a County approved 5150 Certification or Re-Certification Training offered by facilities with authorized trainers utilizing the county class materials and exam.

Facilities that conduct internal Certification and Re-Certification Training will receive the standardized training materials developed by Quality Management Services, including the most current accompanying examination. Additional facility specific information may be included in the training at the discretion of the Hospital Administrator and/or their representative. Grading of the exams is the responsibility of the Site Coordinator and/or their representative(s). If the Site Coordinator is taking the exam, the grading shall be done by another appropriate party within the organization, or by the County 5150 Coordinator.

Following internal training and as changes occur at authorized sites, Site Coordinators shall submit changes to the Designee list immediately to Quality Management Services, with the exception of the 5150 designated facilities.

Additional Training Requirements:

It is the position of BHS that an involuntary 5150 application should only be used as a last resort. In keeping with this position additional training and supervision should be provided by the agency or designated facilities to ensure every effort has been made to remedy the crisis and all criteria has been met prior to writing the application. De-escalation training and crisis intervention trainings should be provided to designees and proof of completion via attestation on the Registration/Application form must be submitted to Quality Management.

Agencies and designated facilities with 5150 Designees assume full responsibility for the activities of their staff (including residents, interns, contractors, subcontractors, etc.) during the course of those staff exercising Designee privileges.

Designated Facility Designee Privilege:

In Designated 5150 Facilities, Designee Privilege occurs by the authority of the Hospital Administrator and/or their representative(s).

Following all relevant laws and internal procedures, attending designated staff at a county authorized, designated 5150 evaluation facility whose duties include crisis assessment related to potential 5150 application, may initiate the 5150 application within the scope of their job description. Designees shall be monitored, trained, and reviewed internally. Sacramento County Mental Health Quality Management Services has oversight responsibility, and may request external review of these processes when indicated.

Designated facilities shall monitor their own Designee staff internally, and changes in Designee status at these sites need to be submitted to Quality Management. Individual Designees at these sites will not be added to the County Master Designee List. Designated facilities shall keep a list of their current Designees and have said list available upon request by Quality Management Services.

5150 Training Conducted at Designated Facilities:

1. The 5150 designated facilities shall conduct 5150 Certification Training internally for staff requiring Designee status in the performance of their job duties. The four (4) hour training (three hours of instruction and one hour for the exam) must include the use of training materials provided by Sacramento County. Quality Management Services personnel may periodically attend said trainings for quality assurance purposes.
2. Designated facilities agree to utilize the county 5150 training materials, including the corresponding exam. Additional facility specific information may be included in the 5150 training at designated facilities, at the discretion of the Hospital Administrator and/or their representative.
3. Authorized staff shall complete 5150 Certification training with the examination at a minimum of one time. Refresher training may be required more frequently, but no less than every two (2) years to remain current, per the policies and procedures of the designated facility, or by the request of designated facility administrators. Business practices shall follow whatever are the most stringent guidelines for any given facility.
4. Staff from 5150 designated facilities shall be allowed to attend the County 5150 Certification and/or Re-Certification Training only by *special request*. Special requests are to be submitted by the Site Coordinator in writing on agency letterhead prior to the training, including the reason and rationale for the request.

Designee Status:

The 5150 designation is limited to a two-year increment which begins the day of successful completion of 5150 Certification or Re-Certification Training. Re-Certification training is required for continuing Designee status for employees at non-designated sites/agencies.

Designation appointments are “agency specific” and are not transferable to another Sacramento County identified agency, organization, or to other counties. Designee certification is authorized for a specific agency site location. Designees may be employed at more than one site authorized to have Designees, or leave one authorized agency to work at another authorized agency. The Site Coordinator at the additional/new agency site may submit a written request in behalf of a Designee regarding continuing Designee status at the additional/new site so that individuals employed at different organizations are authorized by each organization and this is reflected on the Designee List.

- If approved for an additional/new site, the Designee’s expiration date remains the same.
- Site Coordinators cannot write a request for Designee status at additional/new sites in their own behalf.
- The Site Coordinators’ Supervisor needs to initiate any request in behalf of the Site Coordinator, providing rationale for the request.

To request a Designee site change and/or to request Designee status at an additional site, please refer to “*Instructions for Special Requests*” for additional information.

- Site Coordinators may submit a written request on agency letterhead to Quality Management for consideration of a 5150 designation site change and/or additional site request, including a statement of how the 5150 designation status is a function of the employees’ new job duties.
- All requests for site changes and/or additional site requests will be considered on a case-by-case basis. Approval will be issued at the discretion of the Quality Management Services Program Manager and/or their representative(s).

5150 Designation Revocation:

Revocation of the 5150 designation is at the discretion of the County Mental Health Director and/or their representative(s). Designees’ privileges may be revoked if the privilege is used inappropriately or in the event of gross negligence.

Program Designee Parameters:

1. *Children’s Programs* shall assign a maximum of two Designees per site address where children’s mental health services are provided. These Designees are preferably licensed mental health practitioners but may be licensed-wavered staff. Unlicensed staff will be required to consult with a licensed supervisor for the period of one year or until the supervisor signs off the unlicensed staff, whichever is longer, for both writing the application and lifting the hold. This consultation will be documented in the beneficiary’s health record.
2. *Adult Programs* shall assign between two to five designated staff per site address where adult mental health services are provided. These Designees are to be licensed, license wavered, or described by the classifications of the Mental Health Rehabilitation Specialist. Due to a wide range of Adult Program services, flexibility will be shown regarding providers with staff holding an MHA II/III designation, and/or those agencies demonstrating a need for additional Designees where service delivery presents unique challenges. A case-by-case review will be done by Quality Management Services Program Manager and/or their representative(s) to ensure that staff in the MHA II/III category possess special skills (de-escalation, crisis intervention, and risk assessment training) that are the basis for an exception to the above defined standard, subsequent to the agency Site Coordinator submitting a written exception request. Unlicensed staff will be required to consult with a licensed supervisor for the period of one year or until the supervisor signs off the unlicensed staff, whichever is longer, for both writing the application and

lifting the hold. This consultation will be documented in the beneficiary's health record.

2. The Executive Director of the *Mental Health Treatment Center* and/or their representative(s), and the corresponding Hospital Administrator of *other designated 5150 facilities* shall determine the assignment of individual Designee staff within their facility. Staff at these facilities that are authorized to perform 5150 job functions shall be monitored internally.

Maintenance of the 5150 Designee List:

Site Coordinators are to maintain a current 5150 Designee List of their agency staff at each authorized site. Changes should be sent to Quality Management.

Authorized sites that are not 5150 designated facilities will submit all changes of Designee status to Quality Management Services as soon as possible following the occurrence.

Changes to the Designee List:

1. Site Coordinators at authorized sites that are not 5150 designated facilities shall be responsible for sending (by fax, mail or e-mail) an updated list of changes, including new Designees and/or terminated Designees, to Quality Management as soon as feasible when the change becomes effective. Failure to submit changes to Quality Management may result in the changes not being placed on the master Designee List maintained by Quality Management. A Designee's absence from the master Designee List may result in the 5150 application being rejected by the 5150 designated facilities.
2. Quality Management will send (by mail or e-mail) an updated 5150 Designee List to the Sacramento Mental Health Treatment Center Executive Director and/or their representative(s) and Site Coordinators at the other 5150 designated facilities as changes are submitted and incorporated.
3. The updated 5150 Designee List will be sent weekly (by mail or email) to all Site Coordinators and/or authorized staff following the County 5150 Certification or Re-Certification Training following the grading of the exam.
4. Quality Management shall maintain the most updated 5150 Designee List available, based on the most current information provided by the Site Coordinators. This list shall be available upon request, from the Site Coordinator or Designated Hospital.

Registration/Application Procedure for Sacramento County Quality Management 5150 Training:

1. To register for the County 5150 training, attendees complete the 5150 Certification/Re-Certification Registration Form provided to Site Coordinators which includes:
 - A. Name, phone, e-mail, license type/degree/job classification
 - B. Agency site code where Designee authority is being requested
 - C. Select appropriate training class - Certification or Re-Certification
 - D. Select desired training date
 - E. Attestation of completed De-escalation and Crisis Intervention Trainings
2. Fax the Registration Form to Quality Management (5150 Training) at (916) 875-0877 or send the information needed to register by e-mail to QM5150@SacCounty.net.

REFERENCE(S)/ATTACHMENTS:

- Welfare & Institutions Code 5150 & 5661.7; Title 9 CCR 542, 543
- Quality Management Services "*Instructions for Special Requests*"

RELATED POLICIES:

- MHTC P&P 04-02 Designation Policy
- MHTC P&P 04-09 Applications for Evaluation & Treatment Policy

DISTRIBUTION:

Enter X	DL Name	Enter X	DL Name
X	Mental Health Staff		
X	Mental Health Treatment Center		
X	Adult Contract Providers		
X	Children's Contract Providers		
X	Substance Use, Prevention, and Treatment Providers		
	Specific grant/specialty resource		

CONTACT INFORMATION:

- Quality Management (5150 Training)
QM5150@SacCounty.net