

# Mental Health Holds in the Emergency Department

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[www.placer.ca.gov/MentalHealthHolds](http://www.placer.ca.gov/MentalHealthHolds)



## The 72-Hour or "5150" Hold

When a person appears to be a danger to themselves or others or is gravely disabled, due to a mental health disorder, they may be held for up to 72 hours for assessment, evaluation, and crisis intervention or placement for evaluation and treatment. This is called a 5150 hold.

The 5150 hold is named after the section of the law that allows for this hold. "5150" is not code for a diagnosis. It is an application for assessment for possible intervention or treatment. The hold is private healthcare information. This

means it is protected by federal laws from being seen by the public, schools, or most employers.

People who can write 5150 holds ("hold writers") include:

- Peace officers
- Professional persons designated by the county Mental Health Director

During a crisis, a hold-writer may get information about the person from other people. It is against the law to give false information to a hold-writer.

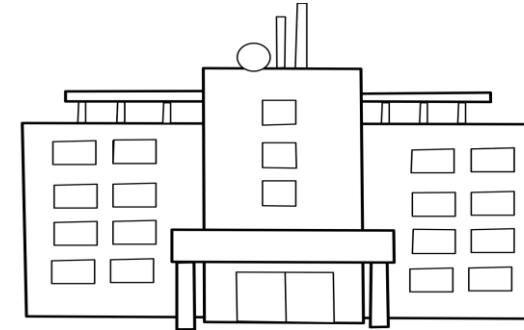
Sometimes a doctor at a medical hospital wants a patient to be evaluated for a 5150 hold. The doctor can make a request asking for a mental health evaluation. The hospital may then hold the person for up to 24 hours while waiting for the evaluation to take place. If a 5150 hold is written, the start time on the hold will be the time that the doctor made their request.

## Danger to Self or Others, and Grave Disability

"Danger to self" or "danger to others" means that, due to a mental health disorder, a person has said or done things that would lead a hold-writer to believe that the person is likely to hurt themselves or someone else.

"Grave disability" means a person has said or done things that would lead a hold-writer to believe that the person is unable to provide for their own food, clothing, or shelter. The hold-writer must

think this is due to a mental health disorder. Grave disability may also mean that a person has access to these things, but the person's symptoms make it hard for the person to use them. A person is not gravely disabled if someone else is willing and able to provide for the person's basic needs.



## At the Emergency Department

When a person is on a 5150 hold, they often spend time as a patient at the Emergency Department ("ED") of a medical hospital. A doctor at the ED makes sure the patient is physically well enough to be transferred to a psychiatric hospital ("LPS hospital"). A mental health worker at the ED works to find a room in an LPS hospital for the patient to be transferred to for mental health care.

ED's are not designed as places for patients to stay for very long. They often do not have showers or TVs for patients. Waiting at the ED during this time can be tiring and stressful. Mental health workers work very hard to find a room for a patient on a hold as quickly as possible. But there are not enough rooms at LPS hospitals, and sometimes mental health patients do end up staying at an ED longer than a day or two.

Hospital staff will do their best to keep the patient safe and comfortable during this wait, while still taking care of the medical emergencies of their other patients. The time a patient must wait is more comfortable and less stressful when everyone remains as calm as possible.

The patient will be asked the same questions over and over as shifts change at the ED. This happens to medical patients as well. It is the job of the staff and the mental health workers to ask these questions. The patient should do the best they can to answer the questions.

## Family Members/Loved Ones

Sometimes family members/loved ones of the patient will visit the patient at the ED. This can be very positive. Family members/loved ones can give staff members and mental health workers helpful information that may speed the transfer, or may cause a hold to be removed. They can help the patient understand what is happening, reassure the patient, help the patient communicate with staff more clearly, and help keep the patient comfortable.



It is not helpful if family members/loved ones cause disruption in the ED. If this happens, the staff may ask the family

members/loved ones to leave the ED in order to keep everyone safe.

Family members/loved ones sometimes need to take a break from the ED to take a walk, get some sleep, take a shower, have a hot meal, or take care of other things. Family members/loved ones who take care of themselves are also better able to assist the patient on a hold at the ED.

*If a patient does not want to have visits or phone calls from someone, they should tell hospital staff or a mental health worker.*

## Medication

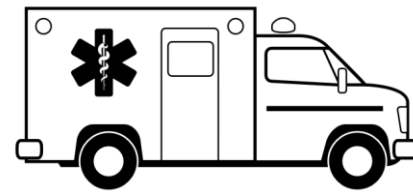
A person on a 5150 hold has the right to refuse medication, except in an emergency. An emergency happens when a person says or does things that put their own safety or someone else's safety at risk. Emergency medications can legally be given even when a patient does not want them.

## Parent/Legal Guardian/LPS Conservator Authority

If a person is put onto a 5150 hold, their parent/legal guardian/conservator cannot remove the hold. Sometimes a parent/legal guardian/LPS conservator may be able to sign the person in as a voluntary patient. They will need to ask the hold-writer or the mental health worker if this is an option.

## Reevaluation

During the time a person on a hold is waiting at the ED for placement, they must be regularly evaluated to see if they still need to be on a hold. The mental health worker decides how often this will happen. If something has changed and the person no longer needs to be on a hold, certain mental health workers can remove the hold.



## Placement/Transfer

If a person is still on a hold when an LPS hospital has accepted them, the person will be transferred to that LPS hospital. This transfer is made in an ambulance, but without the siren on. Mental health workers try to find an LPS hospital that is as close as possible, and one which accepts the person's insurance.

The person or their parent/legal guardian/LPS conservator can request a specific LPS hospital if they want to. The clinician will honor this request if it is administratively possible. Mental health patients also have a legal right to prompt care and treatment. The mental health

worker must balance this right with the wait time for a specific hospital. The request cannot always be honored. Sometimes the LPS hospital the patient is transferred to may be many miles away.

## After the 5150 Hold

A hold may be removed by certain mental health workers or by a psychiatrist when a person is no longer a danger to themselves or others, and is no longer gravely disabled. This could happen either at the ED or at an LPS hospital.

A person might be eligible to sign a voluntary treatment agreement (or their parent/legal guardian/LPS conservator might sign it on their behalf).

After a doctor at an LPS hospital assesses a person, the doctor may write a "5250" hold. That means the doctor believes the person needs to stay at the LPS hospital for treatment. The 5250 hold lasts for a maximum of 14 days of care in the LPS hospital. If this happens, the person will be able to contest the hold at a court hearing if they do not agree with it and wish to be discharged.

## Patients' Rights

While waiting at an ED, a patient has certain rights. The patient may request a copy of a list these rights. The medical hospital is responsible for these rights.

After being transferred to an LPS hospital, the patient has rights that are guaranteed by California's mental health laws. The

law says these rights must be listed on a poster at the LPS hospital in a place where patients can read them. Patients must also be given a handbook that lists these rights.



Any mental health patient may call the county's Patients' Rights Advocate (PRA) for more information about mental health patients' rights. If a person on a hold is transferred to an LPS hospital in a different county, they may contact the PRA for that county for help and information. The LPS hospital must provide the phone number for their own county's PRA.

In Placer County, family members/loved ones may call a Cal Voices Family & Friends Coordinator for help and information.



## Helpful Contact Numbers

**Placer County Adult Intake:**  
(24 hours a day) 916-787-8860  
or 888-886-5401

**Placer County Adult System of Care:**  
530-889-7240

**Placer County Children's Hotline:**

(24 hours a day) 916-872-6549  
or 866-293-1940

**Placer County Children's System of Care:**

916-784-6440

**Patients' Rights Advocate:**

(Placer County) 916-787-8979

**Cal Voices Placer County:**

(Formerly NorCal Mental Health America)  
916-787-8915

**Cal Voices Family & Friends Coordinator:**

(Placer County) 916-787-8803  
916-787-8832

**NAMI Placer County:**

(National Alliance on Mental Illness)  
916-554-0554

**Placer Coordinated Entry:**

(Homeless shelter referrals and resources)  
**833-375-2237**