



2016 Legislative Agenda
Involuntary Treatment Act Standard Change
HB1945/SB5687

Enable early emergency treatment for people with serious mental illness with a change to the Involuntary Treatment Act standard from the “imminent risk” standard to the “substantial likelihood of serious harm” standard to provide better involuntary treatment and early intervention tools.

- For far too long we have been ignoring, warehousing, and incarcerating those with mental illnesses rather than getting them the help they need in a timely fashion.
- A change from the imminence standard to a “substantial likelihood” standard will help our state to address more completely the needs of our citizens with mental illnesses.
- Anosognosia, the inability to understand that they are ill and have insight into their illnesses, is a symptom that causes many people with mental illnesses to avoid treatment. Approximately 50% of individuals with schizophrenia and 40% of people individuals with bipolar disorder suffer from Anonsognosia.
- Our current involuntary emergency hospitalization standard requires that a person pose an “imminent danger to self or others or be gravely disabled” before involuntary treatment will be ordered.
- Requiring “imminence,” is essentially a refusal to intervene to solve problems before they become crises, and instead marches people to the edge of a cliff before they get care. We do not make people with cancer, epilepsy, diabetes, or any other serious chronic illness wait until they are at death's door before providing the care they need. The consequences of neglecting needed treatment for individuals with mental illness are just as dire as ignoring any other health crisis.
- Studies show that earlier intervention can result in fewer mental health crises of shorter duration and a better chance of a fuller recovery.
- Changing the standard for emergency detention from “imminence” to “substantial likelihood” allows for earlier intervention and thus, quicker, more acceptable outcomes but still provides a heightened standard sufficient to protect the constitutional rights of the individual being detained.