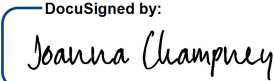


**POLICY AND PROCEDURE**

<p><b><u>POLICY TITLE:</u></b> EEU Mental Health Red Flags Process</p>	<p><b><u>POLICY #:</u></b> DSAMH033</p>
<p><b><u>PREPARED BY:</u></b> Eligibility &amp; Enrollment Unit</p>	<p><b><u>DATE ISSUED:</u></b> 06/06/2022</p>
<p><b><u>RELATED POLICIES:</u></b> DSAMH031 EEU Involuntary Placement Process Policy DSAMH032 EEU Voluntary Placement Process Policy</p>	<p><b><u>REFERENCE:</u></b> Delaware Commitment Laws: <a href="http://delcode.delaware.gov/title16/c051/sc02/index.shtml">http://delcode.delaware.gov/title16/c051/sc02/index.shtml</a></p>
<p><b><u>DATES REVIEWED:</u></b> 04/17/2023 11/19/2024</p>	<p><b><u>DATES REVISED:</u></b> 03/08/2023 11/13/2024</p>
<p><b><u>APPROVED BY:</u></b>  1B71C05196B24CA... <b><u>DATE APPROVED:</u></b> 11/26/2024   1:44 PM PST</p>	<p><b><u>NOTES:</u></b> <input type="checkbox"/> DSAMH Internal Policy <input type="checkbox"/> DSAMH Operated Program <input type="checkbox"/> DSAMH State Providers <input type="checkbox"/> Delaware Psychiatric Center <input checked="" type="checkbox"/> Targeted Use Policy (Defined in scope)</p>

I. **PURPOSE:**

The purpose of this policy is to provide guidance on the Mental Health Red Flag process.

II. **POLICY STATEMENT:**

It is the policy of DSAMH’s Eligibility and Enrollment Unit (EEU) to ensure that all individuals issued a Mental Health Red Flag by the Delaware Judiciary are treated according to Delaware law. The EEU supports community education on this process and promotes timely resolution of administrative holds.

III. **DEFINITIONS:**

“Delaware resident” means either:

1. An individual who is domiciled in Delaware for any part of the tax year or maintains an abode in Delaware and spends more than 183 days in the State.
2. A person who possesses a valid Delaware-issued identification card such as driver’s license or non-driver identification card.

“DelJIS” means the Delaware Criminal Justice Information System.

“DTRN” means the Delaware Treatment and Referral Network.

“**EEU**” means the DSAMH Eligibility and Enrollment Unit.

“**Institution for Mental Diseases**” or “**IMD**” means a hospital or other treatment facility legally designated to hold or treat individuals with psychiatric conditions under medical supervision.

“**Mental Health Red Flag**” (formerly known as **Capias**) means an order to bring a person before the Court has been issued when a person has failed to appear in Court as required or has violated a condition of probation or a condition of release.

“**Recovery Innovations**” or “**RI**” means the Recovery Response Centers in Newark and Ellendale.

IV. **SCOPE:**

The policy covers all court-ordered issuances of inpatient psychiatric treatment due to Mental Health Red Flags.

V. **PROCEDURES/RESPONSIBILITIES:**

- A. Mental Health Red Flags are issued by the Courts and processed by law enforcement.
- B. The Mental Health Red Flags are not received via the Delaware Treatment and Referral Network (DTRN) but will come as a phone call from a member of law enforcement to the nearest IMD or the EEU Hospital Placement Team.
- C. EEU is notified of the Mental Health Red Flag when the officer calls. Law enforcement will provide:
  1. Officer’s name,
  2. Officer’s phone number,
  3. Which law enforcement department the officer is affiliated with,
  4. Officer’s current location,
  5. Client’s name, and
  6. Client’s date of birth.
- D. The next steps will be determined by the individual’s presentation and willingness to go inpatient treatment to start the process to get the mental health red flag lifted.
  1. Individuals who do not meet the criteria to be placed on a 24-hour detention must voluntarily agree to initiate the Mental Health Red Flag resolution process at Recovery Innovations (RI). Not meeting criteria for 24-hour detention does not lift the red flag.
  2. Individuals who do not meet the criteria to be placed on a 24-hour detention and who are unwilling to comply with the Mental Health Red Flag resolution process will be released by law enforcement and informed that the mental health red flag will not be lifted until the resolution process is completed.
  3. If law enforcement determines that additional screening is warranted, the individual will be screened on site by a certified mental health screener or transported by law enforcement to the nearest screening facility. The EEU/Hospitalization Unit will secure bed placement if the

client is deemed to require inpatient treatment. A referral must be submitted via DTRN for IMD placement.

4. On weekdays, any actions taken to resolve the mental health red flag after 2:00 p.m. will not receive a response from the courts until the next business day.
  5. On the weekends and/or holidays, any actions taken to resolve the mental health red flag will not receive a response from the courts until Monday or the next business day after the holiday, as the courts will be closed.
- E. No referral packet will be provided to the receiving facility by law enforcement as they are not allowed to print out documentation from DELJIS.

VI. **POLICY LIFESPAN**: Annual review by Policy Committee.

VII. **RESOURCES**: N/A