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 Owner: Angela Graves  
 Policy Area: Emergency Services  
 References:  
 Applicability: PH&S Oregon Region

## Releasing Emergency Department Patients Presenting in Behavioral Health Crisis

### OBJECTIVES:

To discharge patients from the Emergency Department in compliance with Oregon House Bill 3090.

### POLICY STATEMENT:

Passage of HB 3090 (Oregon Laws 2017, chapter 272), mandates that Oregon hospitals must adopt and implement a policy for the discharge of a patient from the emergency department who presented with a behavioral health crisis. The hospitals policy must be publically available to patients and their lay caregiver(s).

### DEFINITIONS:

**Lay Caregiver:** an individual designated by the patient or a parent or legal guardian and whom a health care provider may disclose protected health information without a signed authorization (ORS 192.567).

**Lethal means counseling:** Counseling strategies designed to reduce the access by a patient who is at risk of suicide for suicide by lethal means, including but not limited to firearms (OAR 836-053-1403 .

**Behavioral Health Crisis:** a disruption in an individual's mental or emotional stability or functioning resulting in an urgent need for immediate treatment to prevent a serious deterioration in the individual's mental or physical health (ORS 441.053).

**Behavioral Health Clinician:** a) licensed psychiatrist; b) a licensed psychologist; c) a certified nurse practitioner with a specialty in psychiatric mental health; d) a licensed clinical social worker; e) a licensed professional counselor or a licensed marriage and family therapist; f) a certified clinical social work associate; g) an intern or resident who is working under a board-approved supervisory contract in a clinical mental health field; or h) any other clinician whose authorized scope of practice includes mental health diagnosis and treatment (ORS 743A.012b).

**Caring Contacts:** Brief communications between the patient and a community provider to successfully transition the patient to outpatient services. The provider can be a behavioral health clinician, peer support specialist, peer wellness specialist, family support specialist or youth support specialist. Peer support, peer wellness, family support and youth support specialists are persons certified by the Oregon Health Authority, Health Systems Division who provide supportive services to persons receiving mental health or addiction treatment.

- Caring contacts can be facilitated through a contract with a qualified community based behavioral health provider or through a suicide prevention hot-line;
- A caring contact may be conducted in person, telemedicine or by phone.
- A caring contact must be attempted within 48 hours of release from the Emergency Department if a patient has attempted suicide or experienced suicidal ideation.

**Publicly available:** Posted on the hospital's website and provided to each patient and to the patient's lay caregiver in written form upon admission to the hospital or emergency department and upon discharge from the hospital or release from the emergency department. The written form provided to a patient and lay caregiver may be a summarized version of the policy that is clear and easily understood.

## DIRECTIONS:

The Oregon Health Authority administrative rules address general discharge planning requirements including specific requirements for discharging a patient hospitalized for mental health treatment or releasing a patient from the Emergency Department who presented with a behavioral health crisis. These changes go into effect December 1, 2018 and apply to all Oregon regional Emergency Departments regardless of availability of emergency department behavioral health clinicians (MSW, CSWA, LCSW, LPC) to perform an assessment and discharge planning.

For the purpose of this policy, patients receiving care while in the emergency department and assigned to the behavioral health safety tab in EPIC are defined as a patient in behavioral health crisis.

The following elements are required to be considered when releasing a patient from an Emergency Department who may have presented in Behavioral Health Crisis:

- Behavioral health assessment conducted by a behavioral health clinician.
- Encourage patient to sign authorization form and identify lay caregiver to participate in discharge planning.
- Provide information on benefits of involving lay caregiver and disclosing health information and limits to disclosure.
- Patient long-term needs assessment.
- Care coordination including transitioning to outpatient treatment that includes one or more of the following: community-based providers, peer support, lay caregivers or others who can implement the patient's plan of care.
- Schedule follow-up appointment that occurs within 7 days of discharge. If a follow-up appointment cannot be scheduled within 7 days, document why.
- Patient risk assessment and if indicated development of a safety plan and lethal means counseling.
- Process for case management.
- Process to arrange for caring contacts to transition a patient to outpatient services.
  - Caring contacts must be attempted within 48 hours of release if a patient presented to the emergency department with suicidal ideation and/or attempt.
  - Providence Health & Services, Oregon Region will provide caring contacts through a multitude of strategies such as partnering with a local community mental health provider, contracting with a

suicide hot-line and/or employing certified provider as outlined in Oregon Law 2017, Chapter 272. These strategies will include the requirements for caring contacts as well as care coordination and management.

WRITTEN BY:

Kristin Powers-Regional Director Behavioral Health Integration/Acute Behavioral Health Operations

Oregon Regional Emergency Behavioral Health Council

## IN COLLABORATION WITH:

Oregon Regional Emergency Department Clinical Collaborative

## REFERENCES/RESOURCES:

Oregon Administrative Rules: [333-500-0010](#); [333-505-0030](#), [0050](#), and [0055](#); [333-520-0070](#) and [333-535-0000](#),

Oregon House Bill 3090.

All revision dates:

03/2019

## Attachments:

[HB3090 patient handout final approved.pdf](#)

### Approval Signatures

Approver	Date
Angela Graves	03/2019
Jeremy Lynn: MD	03/2019
Carolyn Wilson: Reg Director of Emergency Services	03/2019
Angela Graves	03/2019

### Applicability

OR - Clinical Support Staff (CSS), OR - Connections, OR - Credena Health (CH), OR - Home Health (HH), OR - Home Medical Equipment (HME), OR - Home Services, OR - Home Services Pharmacy (HSRx), OR - Hospice (HO), OR - Providence Ctr for Medically Fragile Children, OR - Providence Hood River Memorial Hospital, OR - Providence Medford MC, OR - Providence Medical Group, OR - Providence Milwaukie Hospital, OR - Providence Newberg MC, OR - Providence Portland MC, OR - Providence Seaside Hospital, OR - Providence St. Vincent MC, OR - Providence Willamette Falls MC