



Administrative Policies and Procedures: 19.3

Subject:	Standard Mental Health Referrals and Transfers for Youth in Youth Development Centers
Authority:	TCA 33-3-401, 33-3-408, 37-5-105; 37-5-106
Standards:	ACA: 3-JTS-4C-41; DCS Practice Standards: 7-122D, 7-125D, 8-306
Application:	To All Department of Children's Services YDC Employees

Policy Statement:

Youth in DCS Youth Development Centers (YDC) requiring mental health residential care and treatment shall be evaluated by a licensed physician, licensed psychologist or licensed psychiatrist designated as a health services provider and referred for transfer to the Department of Mental Health and Developmental Disabilities (DMH/DD).

Purpose:

To ensure youth in YDC's suspected of mental health disabilities are screened and transported to the appropriate mental health facility to receive treatment, and ensure the transfer of jurisdiction from a YDC to a mental health facility is conducted as required by law.

Procedures:

A. Preparation to transfer

1. Referral for evaluation

When a youth is suspected of being mentally ill, treatment team members must review all available information about the youth and refer for evaluation by a designated health services provider.

2. Evaluation report

The designated health services provider must evaluate the youth and write a report documenting the evaluation results and recommendations.

3. Forwarding referral packet

The superintendent/or designee of the YDC, based on his/her review of the written report of the designated health service provider, and a determination has been made that a youth is mentally ill and in need of residential care and treatment for that condition which cannot be provided at an appropriate DCS YDC and which can be provided at an appropriate residential program of the DMH/DD, must forward a mental health referral packet to the DCS mental health program specialist in central office for review within five days (5) of the transfer. The referral packet will include the certificate of need for residential mental health services signed by the health services provider.

4. Contents of referral packet

The mental health referral packet must include at least the following information:

- a) Commitment documents and face sheet,
- b) Certification of need for residential mental health services,
- c) A descriptive report from the designated health services provider, if separate from the certification statement,
- d) All current and past psychological and psychiatric reports, if available,
- e) Medical information, including immunization record, if available,
- f) Social history,
- g) Summary reports from previous treatment, if available,
- h) Staffing summary and classification documents, if available,
- i) Individual program plan (IPP) and all progress reports, if available
- j) Education reports
- k) Significant disciplinary/observation reports
- l) Social Security number and birth verification, if available

5. Notification to youth

When the YDC superintendent/or designee is notified by the DCS mental health manager of a scheduled transfer date, the superintendent/or designee must provide the youth with written notification of the pending transfer and the notification must also explain to the youth their right to object to the transfer within twenty-four (24) hours of receiving the notice.

- a) If the youth agrees to the transfer and so states in writing, the youth will be transferred to the appropriate residential program of DMH/DD having available and suitable accommodations.
- b) If the youth objects, the transfer must be delayed and the YDC superintendent/or designee must notify the DCS mental health manager, who must convene a transfer committee not less than seven (7) nor more than fourteen (14) days thereafter to determine if the transfer is appropriate. The youth must be informed that he/she is permitted to obtain counsel and to present witnesses at the transfer committee hearing.
- c) If the transfer committee approves the transfer by majority vote, the chair of the committee will give the minor written notice of the committee's decision, a summary of the factual basis for the decision, and a complaint form for review of the transfer in circuit court.
- d) If the youth does not file a complaint, then they will be transferred five (5) days after the receipt of the committee's notice.
- e) The minor will remain in the YDC pending the decision of the transfer committee.

<p>B. Transfers of official responsibility</p>	<p>When a youth is transferred to a residential facility of the DMH/DD:</p> <ol style="list-style-type: none"> 1. The DCS mental health manager must notify the YDC superintendent/designee and the youth's home county Family Service Worker of the admission date. 2. The YDC superintendent/designee must ensure that form CS-0065, Formal Letter of Transfer and a copy of the youth's 24-hour transfer notification go with the youth to the mental health program. 3. Within five (5) days of the transfer, the superintendent of the receiving facility of DMH/DD is to determine whether the transfer was appropriate. 4. If the decision to transfer is deemed to be appropriate, the superintendent of the receiving facility of DMH/DD will immediately give written notice of the decision to the youth. 5. If the superintendent of the receiving facility of DMH/DD determines that the transfer was inappropriate, the superintendent will immediately transfer the youth back to the YDC or other appropriate program as designated by the commissioner of children's services. 6. The assigned residential Family Service Worker will ensure that the documentation of the acceptance decision made by the superintendent of the receiving facility will be obtained for YDC records. 7. The home county Family Service Worker must supervise the youth's case.
<p>C. On-going consultation and progress</p>	<p>While the youth is in a mental health placement, the DCS Family Service Workers and DCS mental health manager must keep each other informed of problems, progress and planning for the youth's future.</p>
<p>D. Return of escaped youth</p>	<ol style="list-style-type: none"> 1. Short-term If the youth escapes from a mental health facility and is apprehended within thirty (30) calendar days after escape, he/she must be returned to the physical custody of the DMH/DD. 2. Long-term If apprehended more than thirty (30) days after escape: <ol style="list-style-type: none"> a) The youth must be automatically returned to the physical custody of DCS and placed according to the recommendations, and through the assessment process. b) DCS YDC staff must have the youth re-evaluated and must again refer the youth for mental health residential care, if needed.
<p>E. Releases and returns</p>	<ol style="list-style-type: none"> 1. After successful treatment When the youth has successfully completed his/her mental health treatment, the following steps must be taken:

- a) The DMH/DD must send written notification to DCS of the scheduled release date.
- b) The Family Service Worker or a representative must attend the DMH/DD staffing at which discharge plans are generated and must consult with mental health staff to determine whether the youth appears ready for release to community/aftercare supervision or ready for return to a DCS YDC
- c) If release to community/aftercare supervision is being advised, the Family Service Worker must prepare release papers as specified by DCS policy [12.1 Return to Home Placement-Youth Adjudicated Delinquent](#). The DCS mental health manager must authorize the release.
- d) The home county Family Service Worker must submit release packet to the committing judge.
 - ◆ If the judge objects to the youth's release, the home county Family Service Worker must immediately notify the DCS mental health manager.
 - ◆ The Family Service Worker must send a copy of the completed release packet to the DCS mental health manager if the judge approves the release papers.
- e) Extended passes pending release from the mental health facility must be approved by the DCS mental health manager and must not be allowed prior to the judge's signing of release papers.

2. After unsuccessful treatment

When the youth has not successfully completed treatment and the DMH/DD initiates transfer of the youth back to DCS, the DMH/DD must notify the youth and the DCS mental health manager.

- a) If the youth objects to the transfer, the DMH/DD must arrange a transfer hearing in accordance with applicable statutes.
- b) The DCS mental health manager, other DCS program staff/Family Service Workers and/or DCS special populations staff as appropriate to aid in placement planning, must attend the transfer staffing.
- c) If the decision of the transfer hearing is to transfer the youth back to DCS, the DCS mental health manager and home county Family Service Worker must arrange for the youth to be transported to the appropriate DCS facility.
- d) DCS supervisors and regional health unit staff will guide and assist Family Service Workers to advocate effectively for the interest of youth in their dealings with mental and behavioral health practitioners and service agencies.

Forms:	<u>CS-0065, Formal Letter of Transfer</u>
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Collateral documents:	<i>None</i>
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