



STATE OF CONNECTICUT
Department of Mental Health & Addiction Services



Commissioner's Policy Statement and Implementing Procedures

SUBJECT:	Periodic Review of Patient Civil Commitments and Notice of Right to Apply for Release or Voluntary Status
P & P NUMBER:	Chapter 6.27
APPROVED:	Miriam Delphin-Rittmon, Commissioner Date: 10/15/2015
EFFECTIVE DATE:	October 15, 2015 <i>Miriam Delphin-Rittmon</i>
REVISED:	10/17/2011, Replaced White Book Policy No.: 25, Effective Date March 12, 1993
REFERENCES:	CGS 17a-498(g); 17a-510; P&P Chapter 6.22 Voluntary Status
FORMS AND ATTACHMENTS:	None

STATEMENT OF PURPOSE: Connecticut General Statutes call for the annual review of civil commitments. In order for probate courts to accomplish this task, hospitals for persons with psychiatric disabilities must notify the probate court when an individual has been hospitalized for one year since the last probate court review. This policy describes procedures for DMHAS facilities to follow in facilitating such annual reviews.

POLICY: All DMHAS facilities will comply with the notification requirements set forth in CGS 17a-498(g) and will provide notice to persons committed under that statute of their right to apply for release under CGS 17a-510 or to elect voluntary status (See P&P Chapter 6.22 Voluntary Status).

PROCEDURES: DMHAS inpatient facilities shall provide written notice in plain language to each hospitalized person at least annually that he/she has a right to a probate court hearing to review his/her commitment. Such notice shall include information about the availability of legal advocates to help him or her understand his or her rights and options. Such notice shall also explain that a person under an order of commitment has a right to make application at any time to the court of probate for his or her release, that there is no limit on the number of hearings a person may request, that up to two hearings a year will be paid for by Probate Administration if he or she is unable to pay for the hearing fees, and that he or she has a right to elect voluntary status. If it is not clear that the person understands his/her right to a hearing or if it is not clear that the person is able to act upon this right, the facility shall seek to notify an advocate for the person through a valid release of information, and to notify an appointed conservator of person, if applicable.

If the patient requests such a hearing, the hospital shall immediately notify the probate court which ordered the confinement of the person, after which it is the probate court's responsibility to direct further proceedings. A hospital staff member shall document this notice to the patient, as well as the individual's response to the notice, in the individual's medical record. The facility may develop a form for these documentation purposes.

On a monthly basis, each DMHAS inpatient facility shall provide each court of probate with a list of all individuals who have been held in the hospital under an order of civil commitment by that probate court for one year since the last probate court review. The list will note whether the last review included a probate court hearing.