

Court Ordered Evaluation

Non-emergent Application Process

1 Application for Involuntary Evaluation



- Any person may fill out an application and submit to a screening agency.
- The individual is not in need of immediate hospitalization. The individual is also not in imminent danger of harm.
- The application can be any or a combination of the following:
 - » The individual is a Danger to Self (DTS).
 - » The individual is a Danger to Others (DTO).
 - » The individual is identified as being Persistently or Acutely Disabled (PAD).
 - » The individual is identified as being Gravely Disabled (GD).
- Information cannot be more than six months old, unless behaviors are ongoing and increasing.
- Diagnostic services
- Restorative services

2 Evaluation and Pre-Petition Screening



- Screening agency has five days from date application was submitted to evaluate individual in the field.
- Report by field evaluators must be completed within 48 hours from time of evaluation. The screening agency must decide whether there is sufficient evidence to support the allegations in the application. If the report indicates there is insufficient evidence, the screening agency's medical director must review it.
- Screening agency prepares a petition for court ordered evaluation (PCOE) and submits to the County Attorney's office for review.

3 Petition for Court Ordered Evaluation (PCOE/First Set)



- PCOE/First Set is filed with court and includes the following:
 - » Applications.
 - » Pre-petition screening report.
 - » Petition.
- The PCOE/First Set is valid for 14-straight calendar days, including weekends and holidays.
- Once the individual is picked up and taken to a hospital or evaluating facility:
 - » The attending or on-call psychiatrist must evaluate the individual and decide whether to admit the individual under the petition. They can also decide to release the individual from further evaluation.
 - » PCOE/First set time frame begins the moment the individual enters the hospital or evaluating facility.
 - » The PCOE/First Set allows the hospital or evaluating facility to hold the individual for 72 hours. This allows for two psychiatrists to complete evaluations..

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Petition for Court Ordered Treatment (PCOT/Second Set)



- Before the 72-hour hold PCOE expires, two doctors must interview the individual and submit their PCOT/Second Set. The PCOT/Second Set includes their evaluations, affidavits and their opinion on whether the individual meets Court Ordered Treatment (COT) criteria.
- To file PCOT/Second Set, both psychiatrists must agree that at the time of their evaluations, COT criteria is met and is necessary for the individual.
- Once the PCOT/Second Set is filed, the courts must hold a hearing within four to six business days from the date of filing.
- The individual must be served by the County Attorney's office with a copy of the PCOT/Second Set and Notice of Hearing 72 hours prior to the hearing.
 - » If the individual is not served in a timely manner, the County Attorney may attempt to rectify the issue. However, the PCOT/Second Set will most likely be dismissed and the hearing will be vacated (*Due Process Violation*).

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Court Ordered Treatment Hearing



- Two lay witnesses and two doctors must testify during the hearing.
 - » Both doctor affidavits may be submitted instead of a live testimony. This varies from county to county.
- If an individual is not placed on COT, they must be discharged immediately.
- Orders for COT can be for only inpatient treatment. It can also be a combination of inpatient and outpatient treatments.
- COT can be ordered for up to one year.
- Treatment plans by outpatient providers must be submitted to the County Attorney before the hearing, or no later than at time of hearing, unless court reserves jurisdiction to approve plan at later time. This varies from county to county.
- If the individual is found to be a Danger to Others (DTO), and, if there is an identified victim whom the court has deemed has a right to be notified of individual's discharge, the hospital must file a notice of intent to discharge.
 - » This notice must be mailed to identified victim no less than 10 days before anticipated discharge.
 - » The hospital cannot discharge individual prior to expiration of 10-day notice, regardless of the individual's readiness to be discharged. ARS 36-541.01(G)(H).

We cannot give legal advice. Please talk to your attorney. If you don't remember who that is, we can assist with getting that contact information to you.

For questions, please contact our Customer Care Center at:
Banner – University Family Care/ALTCS (833) 318-4146, TTY 711
www.BannerHealth.com/ALTCS-COE

Banner – University Family Care/ACC (800) 582-8686, TTY 711
www.BannerHealth.com/ACC-COE

ATTENTION: If you speak English, language assistance services are available at no cost to you.
Call B – UFC/ALTCS (833) 318-4146, TTY 711. | B – UFC/ACC (800) 582-8686, TTY 711.

ATENCIÓN: Si habla español, tiene a su disposición servicios gratuitos de asistencia lingüística. Llame al B – UFC/ALTCS (833) 318-4146 TTY 711. | B – UFC/ACC (800) 582-8686, TTY 711. 注意：如果您使用繁體中文，您可以免費獲得語言援助服務。請致電 B – UFC/ALTCS (833) 318-4146, TTY 711. B – UFC/ACC (800) 582-8686, TTY 711.

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