

Tennessee Department of Mental Health and Substance Abuse Services Transfer from RMHI to FSP (Regular/Non-Emergency)

1. **PURPOSE:**

To provide guidelines to the forensic staff in the Office of Forensic Services to transfer a service recipient from a Regional Mental Health Institute (RMHI) to the Forensic Services Program (FSP) at Middle Tennessee Mental Health Institute (MTMHI).

2. **POLICY:**

The Commissioner of the Tennessee Department of Mental Health and Substance Abuse Services (TDMHSAS) may authorize a transfer to the FSP at MTMHI of a service recipient who was admitted, committed, or hospitalized at an RMHI when:

- (a) the service recipient could more properly be cared for and treated in the Forensic Services Program at MTMHI, *and*,
- (b) the transfer is in the service recipient's best interest, *and*,
- (c) the Commissioner determines that the service recipient is substantially likely to injure himself/herself or others if not treated in a secure facility.

3. **SCOPE:**

This policy applies to TDMHSAS and to the RMHIs, including the Forensics Services Program (FSP).

4. **PROCEDURE:**

A. Referring RMHI Chief Officer/Designee: Initiating Transfer Request

Upon recommendation by the treatment team, the Chief Officer/designee of the referring facility shall prepare and send a transfer packet to the Commissioner via the designated Forensic Specialist in the Office of Forensic Services. This transfer packet shall also be sent to the Forensic Coordinator of FSP. The transfer packet must include:

- (1) a cover letter from the Chief Officer/designee requesting the transfer with the rationale for the request (Attachment 1)
- (2) certificate of need (Attachment A) from a licensed physician with expertise in psychiatry or a licensed psychologist with a health service provider designation that includes documentation related to the service recipient's behavior and attempted treatment interventions (including, but not limited; to the use of seclusion/restraint, a new unit assignment, PRN medications, and/or changes in routine medication),
- (3) a mental status assessment/evaluation completed within the last twenty-four hours prior to request,
- (4) a physical examination completed within the last six months prior to the request for transfer with an addendum verifying that a physical exam was *updated* within the past twenty-four (24) hours,
- (5) a copy of the court commitment order,
- (6) a copy of the most recent risk assessment, if forensic, and

- (7) documentation that the service recipient (Attachment B) and his/her appropriate relative/conservator (Attachment C) have been notified of the transfer request by the Chief Officer/designee. Unless the relative/conservator is in agreement with the transfer, the transfer cannot occur for twenty-four hours from the time of request for approval.

B. Office of Forensic Services

Upon receipt of the transfer request, the designated forensic specialist in the Office of Forensic Services will review the request and make a recommendation to the Director of Forensic/Juvenile Court Services.

- (1) If, after review of the initial transfer request information, the designated forensic specialist and the Director of the Office of Forensic Services conclude that not all reasonable treatment interventions have been conducted prior to transfer to FSP, s/he may request, in writing to the Chief Officer/Designee of the referring RMHI, that more, specific interventions be attempted (e.g. behavioral plan, relocating service recipient to new unit, psychopharmacology consultation). The Director of Forensic/Juvenile Services will notify the Assistant Commissioner of Planning, Research and Forensics of this request. The Chief Officer/designee may submit additional information at that time to clarify what attempts were made to manage the service recipient's behavior safely in the RMHI, or, after a reasonable period of time, reapply for this transfer after the recommended interventions have been tried, evaluated, and have been deemed not to have succeeded in ameliorating the conditions that triggered the original transfer request. Supporting documentation must accompany this second request.
- (2) If the designated forensic specialist and the Director of Forensic/Juvenile Services concur with the request for transfer to the FSP (either upon initial request, upon review of additional information to the initial request, or in response to an updated request), the forensic specialist will prepare the following documents and forward them with the transfer packet [4.A.(1) through (7)] and any additional information submitted by the referring facility, to the Assistant Commissioner of Planning, Research and Forensics:
 - (a) a memo to the Director of Forensic/Juvenile Court Services from the forensic specialist recommending the transfer (Attachment D);
 - (b) a memo to the Assistant Commissioner of Planning, Research and Forensics from the Director of Forensic/Juvenile Court Services requesting approval (Attachment E)

Approval of the initial request with recommendation to the Assistant Commissioner of Planning, Research and Forensics or the request for a plan for more specific interventions with notification to the Assistant Commissioner must be completed within five (5) business days of the receipt of the request.

C. Assistant Commissioner of Planning, Research and Forensics

The Assistant Commissioner of Planning, Research and Forensics will review the transfer request upon receipt of the recommendation for transfer from the Office of Forensic Services and the transfer packet.

- (1) If the Assistant Commissioner concludes that not all reasonable treatment interventions have been conducted prior to transfer to FSP, s/he will instruct the Director of the Office of Forensic Services to request, in writing to the Chief Officer/Designee of the referring RMHI, that more, specific interventions be attempted (e.g. behavioral plan, relocating service recipient to new unit, psychopharmacology consultation). The Chief Officer/designee may submit additional information at that time to clarify what attempts were made to manage the service recipient's behavior safely in the RMHI, or, after a reasonable period of time, reapply for this transfer after the recommended interventions have been tried, evaluated, and have been deemed not to have succeeded in ameliorating the conditions that triggered the original transfer request. Supporting documentation must accompany this second request.
- (2) If the Assistant Commissioner concurs with the request for transfer to the FSP (either upon initial request, upon review of additional information to the initial request, or in response to an updated request), the forensic specialist will prepare the following documents and forward them with the transfer packet [4.A.(1) through (7)] and any additional information submitted by the referring facility, to the Commissioner:
 - (a) a memo to the Commissioner from the Assistant Commissioner of Planning, Research and Forensics requesting approval for the transfer (Attachment F); and,
 - (b) three (3) authorization forms (Attachment G) to be signed by the Director of Forensic/Juvenile Court Services, the Assistant Commissioner of Planning, Research and Forensics and the Commissioner.

D. Commissioner

The Commissioner will review the transfer request upon receipt of the recommendation for transfer from the Assistant Commissioner of Planning, Research and Forensics and the Office of Forensic Services and the transfer packet.

- (1) If the Commissioner concludes that not all reasonable treatment interventions have been conducted prior to transfer to FSP, s/he will instruct the Director of the Office of Forensic Services to request, in writing to the Chief Officer/Designee of the referring RMHI, that more, specific interventions be attempted (e.g. behavioral plan, relocating service recipient to new unit, psychopharmacology consultation). The Chief Officer/designee may submit additional information at that time to clarify what attempts were made to manage the service recipient's behavior safely in the RMHI, or, after a reasonable period of time, reapply for this transfer after the recommended interventions have been tried,

evaluated, and have been deemed not to have succeeded in ameliorating the conditions that triggered the original transfer request. Supporting documentation must accompany this second request.

- (2) If the Commissioner concurs with the request for transfer to the FSP (either upon initial request, upon review of additional information to the initial request, or in response to an updated request), the forensic specialist will prepare the following letters for the Commissioner's signature addressed to:
 - (a) the Chief Officer of the referring facility (Attachment H), along with a receipt of transfer notice form (Attachment I), authorization letter to the patient (Attachment J), a complaint form (Attachment K), and a signed authorization form (Attachment G),
 - (b) the Chief Officer of MTMHI (Attachment L) along with a signed authorization form (Attachment G),
 - (c) the appropriate relative or conservator (Attachment M), along with a complaint form (Attachment K), sent via certified mail, and,
 - (d) the committing court (Attachment N).

E. Referring RMHI Chief Officer/Designee: Completing Approved Transfer

- (1) Upon receipt of the transfer approval, the Chief Officer/Designee will deliver the transfer authorization letter (Attachment J), along with the complaint form (Attachment K), and the receipt form to the service recipient being transferred (Attachment I);
- (2) The Chief Officer/Designee will keep the signed receipt for their files and place a copy in the service recipient's medical record;
- (3) The Chief Officer/Designee will send written notice regarding the transfer to the committing court (Attachment O);
- (4) The Chief Officer/Designee will communicate with the Forensic Coordinator at FSP to arrange the transfer;
- (5) The Chief Officer/Designee will arrange transportation of the service recipient.

F. A discussion between the receiving psychiatrist and the referring psychiatrist regarding diagnosis and medication decisions must be completed prior to transfer and this must be documented in the service recipient's record.

G. The transfer must occur within two (2) business days from the date that the transfer request is approved.

H. The Forensic Services Coordinator of FSP will notify the referring Forensic Services Coordinator of the admission of the transferred service recipient.