

Report on Civil Commitment Process Information
(Item 273.C, 2010 Appropriation Act)



To The Governor
and Chairmen of the House Appropriations and
Senate Finance Committees of the General Assembly

Presented By
The Honorable William A. Hazel, M.D.
Secretary of Health and Human Resources

November 1, 2010



COMMONWEALTH of VIRGINIA

Office of the Governor

William A. Hazel, Jr., MD
Secretary of Health and Human Resources

November 1, 2010

The Honorable Charles J. Colgan, Chairman
Senate Finance Committee
General Assembly Building, Room 626
P.O. Box 396
Richmond, Virginia 23218

Dear Senator Colgan:

I am pleased to forward to you my report in response to Item 273.C. of the 2010 *Appropriation Act*. The language in Item 273.C. reflected a need to obtain some information about the civil commitment process, particularly related to a possible budget request for additional funds to implement the mental health law reform statutory changes enacted in 2008.

There was an absence of comprehensive, readily available data about that process before the mental health law reform legislation was enacted by the 2008 General Assembly. On my behalf, the Department of Behavioral Health and Developmental Services collaborated with the Virginia Association of Community Services Boards, and worked with the Office of the Executive Secretary to provide information for this report.

The changes in the civil commitment statutes have been implemented successfully within the additional funds appropriated for this purpose by the 2008 Session and without additional budget requests.

I hope that you and your staff find the information in this report helpful.

Sincerely,

A handwritten signature in black ink, appearing to read 'William A. Hazel, Jr. MD'.

William A. Hazel, Jr., M.D.

Enc.

cc: James W. Stewart, III
Karl R. Hade
Joe Flores

John Pezzoli
Paul R. Gilding
Ruth Anne Walker



COMMONWEALTH of VIRGINIA

Office of the Governor

William A. Hazel, Jr., MD
Secretary of Health and Human Resources

November 1, 2010

The Honorable Lacey E. Putney, Chairman
House Appropriations Committee
General Assembly Building, Room 947
P.O. Box 406
Richmond, Virginia 23218

Dear Delegate Putney:

I am pleased to forward to you my report in response to Item 273.C. of the 2010 *Appropriation Act*. The language in Item 273.C. reflected a need to obtain some information about the civil commitment process, particularly related to a possible budget request for additional funds to implement the mental health law reform statutory changes enacted in 2008.

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William A. Hazel, Jr., M.D.

Enc.

Cc: James W. Stewart, III
Karl R. Hade
Susan E. Massart

John Pezzoli
Paul R. Gilding
Ruth Anne Walker

Report on Item 273.C of the 2010 Appropriation Act

Background

Item 273.C of the 2010 Appropriation Act, a continuation of Item 282.C in previous Acts, states:

The Secretary of Health and Human Resources, in consultation with the Executive Secretary of the Supreme Court, shall develop a reporting system to collect relevant information on emergency custody orders (ECOs), involuntary commitment orders (TDOs), and mental health commitment hearings by fiscal year. The data shall include, but not be limited to, the number of ECOs, TDOs, and commitment hearings that occur each year by locality, and the estimated cost, duration, location, and disposition of each proceeding. The information collected shall comply with all relevant state and federal health privacy laws and shall not include any personal identifiable information. The data collected shall be reported to the Governor, the Chairmen of the Senate Finance and House Appropriations Committees, and the Supreme Court each year.

This report describes activities of the Department of Behavioral Health and Developmental Services (Department) on behalf of the Secretary of Health and Human Resources (HHR) and with the Office of the Executive Secretary of the Supreme Court of Virginia (OES) in response to this item.

The intent of this report was to provide useful information to enable analysis of any additional budget requests for the implementation of changes to the civil commitment process after extensive changes were made by the 2008 General Assembly. These changes have been implemented successfully within the additional funds appropriated for this purpose by the 2008 Session and without additional budget requests since that time.

The availability of data about the civil commitment process has improved since concerns noted in the Department's initial *Report Document 216 (2008)* and ongoing information is now available outside of the requirements of this report. However, as *Report Document 216* noted, there continues to be a high degree of variability with which the civil commitment process is implemented or administered across the state. For example, while the notion of an ECO may appear to be fairly clear and uncomplicated, the manner in which statutory provisions for ECOs are implemented varies considerably across Virginia. In some localities, few if any ECOs are issued by magistrates; instead, law enforcement officials take individuals into custody, as authorized by the statute, but there is no paper order issued by a magistrate. While there is no comprehensive information about the prevalence of this practice, most individuals familiar with the process indicate there could be thousands of paperless ECOs executed by law enforcement officials each year. It would be impossible to obtain information about the estimated cost, duration, location, or disposition of those paperless ECOs. Similarly, the manner in which temporary detention orders (TDOs) are issued and executed varies greatly, particularly regarding duration and location, and the availability of documentation about those TDOs also varies widely across the state. Finally, the location and scheduling of commitment hearings varies considerably across the state.

As a result of collaborative efforts in FY 2008, the Department, OES, and HHR developed a matrix, attached to this report as Appendix A, which describes how the community services boards (CSBs), Department, and OES planned to collect data to address the reporting

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requirements in Item 282.C. As noted in the *Report Document 216 (2008)*, staff of the Health and Human Resources Subcommittees of the House Appropriations and Senate Finance Committees agreed in August 2008 that the presentation of data would be acceptable in general statements and trends, rather than in large amounts of detailed, specific data, which should reduce data collection and reporting efforts by CSBs. Department and committee staffs agreed to the following approaches for these data elements identified in Item 282.C, now Item 273.C.

Estimated Cost: A sampling approach based on estimated cost, rather than requiring CSBs to collect extensive data about estimated cost all of the time, is sufficient to respond to this data element. Data can be collected on estimated cost information for one month each quarter, and CSBs already collecting or readily able to gather estimated cost information should be in the sample. Unfortunately, it continues to prove difficult to collect cost data, but given the implementation of the statutory changes within appropriated funds, this data may not be needed.

Location: A sampling method for location also suffices for gathering this data element. Again, CSBs that already collect or could readily gather location information on ECOs and TDOs from their information systems should be in the sample.

Duration: Sampling also appears to be a feasible approach for this data element. There seemed to be some consensus that the important pieces of information being sought are how many ECOs are extended and how many consumers are released at the end of the six hour period due to inability to find a TDO placement, rather than measuring the exact length of each ECO.

Disposition: The intent of this data element is to measure movement through the commitment process. Data is collected on how many people come into the system through ECOs and how many individuals move to the next stage. For example, how many people were released at the expiration of ECOs and how many individuals advanced to a TDO.

The Department and CSBs support the continued collection of meaningful data about the civil commitment process. This is done for the behavioral health system through the automated Community Consumer Submission (CCS), a software application that extracts individual consumer and service data from local CSB information systems and transmits it each month to the Department. The consumer designation code in the CCS application is an example of integrating data collection about the civil commitment process into the CCS. The consumer designation code enables CSBs and the Department to link specific individuals to particular initiatives or episodes of care. Modifications to the CCS application for FY 2009 established a new consumer designation code (905) to identify individuals who were subject to mandatory outpatient treatment (MOT) orders, pursuant to § 37.2-817 of the *Code of Virginia*. When an individual is admitted to a CSB for mental health services under a MOT order, a consumer designation code is assigned to the person in a type of care record in the CCS. This record includes the date on which services under the MOT order were initiated and will include a date on which those services end. This code enables the CSB and the Department to link demographic, clinical, and service information about the individual to the MOT order.

In an effort to collect more data about the civil commitment process through the CCS, the Department worked with the VACSB Data Management Committee and its Executive Directors Forum to modify the CCS for FY 2010 to include service subtype codes that enable CSBs and the Department to identify subtypes of emergency services related to the civil commitment

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process. This produced information for FY 2010 about the numbers of individuals under emergency custody orders or in the emergency custody of a law enforcement officer or under temporary detention orders who were seen by CSB staff, the number of commitment hearings attended and the CSB staff time involved, and the number of mandatory outpatient treatment order review hearings attended and the CSB staff time involved. This is a new data collection effort that will reflect more complete information after FY 2010 reports..

FY 2010 CSB Data on the Civil Commitment Process

Individuals Served by CSBs Under Mandatory Outpatient Treatment Orders: For FY 2010, 12 CSBs reported serving 141 individuals under MOTs.

Commitment Hearings Attended: Another source of data related to requirements in Item 273.C is one of the performance measures in Exhibit B of the FY 2010 community services performance contract between the Department and CSBs. Performance measure I.B.4, reproduced below, provides some information about the number of civil involuntary adult commitment hearings attended by CSBs.

Pursuant to subsection B of § 37.2-815 of the *Code of Virginia*, a preadmission screening evaluator or, through a mutual arrangement, an evaluator from another CSB shall attend each commitment hearing, original (up to 30 days) or recommitment (up to 180 days), for an adult held in the CSB's service area or for an adult receiving services from the CSB held outside of its service area in person, or, if that is not possible, the preadmission screening evaluator shall participate in the hearing through two-way electronic video and audio or telephonic communication systems, as authorized by subsection B of § 37.2-804.1 of the *Code of Virginia*, for the purposes of presenting preadmission screening reports and recommended treatment plans and facilitating least restrictive dispositions.

CSBs reported attending 34,974 commitment hearings in FY 2010. A table showing the FY 2010 figures for each CSB are attached to this report as Appendix B. Because the reporting format changed for FY 2010, reported figures may be incomplete.

Emergency Custody and Temporary Detention Orders: A third source of data related to the civil commitment process is a stand-alone report that collects some of the information required by Item 273.C of the *2010 Appropriation Act*. This report was discussed more completely in *Report Document 121 (2008)*. All CSBs submit the short version of this report twice per year, once by the end of January for the first six months of the fiscal year and once after the end of the fiscal year for the entire fiscal year. Four sample CSBs also submitted the longer, more detailed version of this report. While the sample is too small to draw any statewide inferences, the data from the sample CSBs is interesting in terms of the relative distributions. The statewide summary for these two versions of the Item 273.C report and a table displaying the data for each CSB are contained in Appendix C.

Based on the FY 2010 Item 273.C reports from each CSB, the 40 CSBs saw 12,238 individuals under an ECO, either ECOs issues by magistrates (5,784 individuals) or paperless ECOs executed by law enforcement officers (6,454 individuals). Fifty-nine percent of these ECOs resulted in the issuance of TDOs; 32 percent resulted in the release of the individuals in emergency custody; and nine percent of the ECOs resulted in other dispositions.

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Finally, some statewide summary information about emergency service subtypes related to the civil commitment process is included in Appendix D of this report.

FY 2010 Court Data on the Civil Commitment Process

The following table summarizes civil commitment process information provided by the Office of the Executive Secretary of the Supreme Court of Virginia (OES) from the General District Court case management system for FY 2010. Detailed sorts of the data in the table below by locality are available from the OES.

General District Court Information: 7/01/2009 - 6/30/2010		
Case Type	Final Disposition	Totals
Emergency Custody Orders	Served	3,420
	Unexecuted	328
	Total	3,748
Mental Health Commitment Orders	Dismissed	4,211
	Discharged by Facility (Hearing)	569
	Discharged by Facility (No Hearing)	20
	Involuntary Commitment	14,598
	Mandatory Outpatient Treatment	87
	Transfer	5
	Voluntary Commitment	4,972
	Certified	128
Total	24,590	
Other	Dismissed	11
	Judicial Authorization Denied	36
	Judicial Authorization Granted	749
	Total	796
Review, Rescission, or Continuance for Mandatory Outpatient Treatment (MOT)	Continuance MOT Agreed	8
	Continuance MOT Granted	3
	Dismissed	19
	Rescission MOT Denied	3
	Rescission MOT Agreed	5
	Rescission MOT Granted	3
Total	41	
Temporary Detention Orders (TDO)	TDOs Served	16,121
	TDOs Unexecuted	939
	Total	17,060

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Conclusion

The language in Item 282.C in the *2008 Appropriation Act*, continued as Item 273.C in the *2010 Appropriation Act*, reflected a need to obtain some information about the civil commitment process in anticipation of a possible budget request for additional funds to implement the mental health law reform statutory changes enacted in 2008. As previously noted, there was an absence of comprehensive, readily available data about that process before the mental health law reform legislation was enacted by the 2008 General Assembly.

Since that time, the Department and CSBs have moved away from mostly manual ad-hoc reporting mechanisms to automated collection of data developed specifically to address Item 282.C. Over time, any additional data that are feasible and meaningful in regard to the civil commitment process will be incorporated into automated reporting systems whenever possible.

Finally, as noted previously, the changes in the civil commitment statutes have been implemented successfully within the additional funds appropriated for this purpose by the 2008 Session and without additional budget requests.

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Appendix A: 2009 Appropriation Act Item 282 Reporting Requirements

The language in Item 282.C reflected the need to obtain some information about the involuntary civil commitment process, particularly relative to a possible budget request for additional funds to implement mental health law reform statutory changes. As previously noted, there was an absence of systematic, readily available data about that process before the mental health law reform legislation was enacted by the 2008 General Assembly Session, and this situation continues. The Department, along with CSBs, and the OES are taking steps to remedy this situation.

2009 Appropriation Act Item 282 Reporting Requirements ¹				
Data Reported for Each Locality by Fiscal Year ²	Emergency Custody Orders (ECOs)	Temporary Detention Orders (TDOs)	Involuntary Commitment Hearings ³	MOT Review Hearings ⁴
Number	CSBs ⁵	Courts	Courts	Courts
Estimated Cost ⁶	CSBs ⁵	DMAS, CSBs	Courts, OES, CSBs	Courts, OES, CSBs
Duration	Courts ⁵	CSBs ⁸	Courts ⁹	Courts ⁹
Location	CSBs ⁵	CSBs ⁸	Courts ⁹	Courts ⁹
Disposition	CSBs ⁵	NA ¹⁰	Courts	Courts

¹ Courts generate information from the district court case tracking database or Office of the Executive Secretary (OES) billing database. CSBs and the Department of Medical Assistance Services (DMAS) report their information to the Department of Mental Health, Mental Retardation and Substance Abuse Services (Department), which reports this information to the Secretary of Health and Human Resources. Item 282 requires an annual report of collected data to the Governor, the Chairmen of the House Appropriations and Senate Finance Committees, and the Supreme Court by November 1 of each year, starting on November 1, 2008. Since the statutory changes only take effect on July 1, 2008, this first report could not provide annual information for FY 2008. Therefore, the first report should only describe how the information is being collected and will be reported by November 1, 2009 for FY 2008.

² CSBs will report FY 2009 information by emailed Excel spreadsheet reports. To the extent possible, reporting requirements will be incorporated into automated databases and reporting systems in FY 2010 or future years. Locality needs to be clarified; does it mean general district court district, CSB service area, or each city and county within a general district court district or CSB service area?

³ Includes recommitment hearings.

⁴ Although not mentioned specifically in Item 282, mandatory outpatient treatment (MOT) review hearings conducted pursuant to § 37.2-817.2 through § 37.2-817.4 are included because they might constitute a significant impact of the MH reform legislation.

⁵ CSBs can collect this information from preadmission screening forms completed by their staff or from other manual or automated records. The number of ECOs includes the numbers of orders issued and the instances where a law enforcement officer takes a person into emergency custody, reported as separate counts. Location information could be collected

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from a sample of CSBs periodically during the fiscal year. Disposition means issuance of a TDO or release from custody.

- ⁶ Each organization reports information about estimated costs in its possession. For example, the OES reports its estimated or actual direct costs, including any reimbursed to other individuals or organizations (e.g., independent examiners, attorneys), for commitment and MOT review hearings, the DMAS reports its actual costs associated with TDOs from the Involuntary Commitment Fund, CSBs report their estimated or actual costs associated with all of these activities, and courts report their estimated or actual costs associated with commitment and MOT hearings. Estimated CSB cost data could be collected from a sample of CSBs periodically (e.g., one month per quarter) during the fiscal year.
- ⁷ Duration for ECO means number of ECOs for which magistrates granted a two-hour extension.
- ⁸ Duration means from the time the person is detained to the time a commitment hearing occurs or the person is released. Location is where the person is detained, normally a hospital or crisis stabilization program. These data will be obtained from the records of a sample of CSBs periodically (e.g., one month per quarter) during the fiscal year.
- ⁹ Duration means the actual length of the commitment or MOT review hearing; it does not include other activities associated with the hearing. Location means the place of the hearing. Attempts to obtain these data could be made through use of a survey during the fiscal year.
- ¹⁰ Disposition, except in extremely rare circumstances when a facility director discharges a person, means going to an involuntary commitment hearing. Therefore, this item does not need to be collected; it can be inferred by comparing the numbers of TDOs and commitment hearings.

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Appendix B: Exhibit B Measure Related to Item 273.C of the 2010 Appropriation Act

Number of Commitment Hearings Attended in FY 2010			
Community Services Board		Community Services Board	
Alexandria	210	Highlands	828
Alleghany Highlands	0	Loudoun County	822
Arlington County	1,080	Middle Peninsula-Northern Neck	1,518
Blue Ridge	2,172	Mount Rogers	1,092
Central Virginia	2,019	New River Valley	1,010
Chesapeake	821	Norfolk	541
Chesterfield	99	Northwestern	1,191
Colonial	1,053	Piedmont	325
Crossroads	747	Planning District One	1,656
Cumberland Mountain	232	Portsmouth	822
Danville-Pittsylvania	703	Prince William County	646
Dickenson County	27	Rappahannock Area	737
District 19	1,115	Rappahannock-Rapidan	372
Eastern Shore	0	Region Ten	1,320
Fairfax-Falls Church	1,463	Richmond Behavioral Health Auth.	2,391
Goochland-Powhatan	12	Rockbridge Area	153
Hampton-Newport News	817	Southside	302
Hanover County	525	Valley	462
Harrisonburg-Rockingham	507	Virginia Beach	3,363
Henrico Area	1,248	Western Tidewater	573
Statewide Total			34,974

The reporting format for this measure changed in FY 2010. Previously, CSBs reported the number of commitment hearings attended for one month each quarter to minimize the added reporting burden. These figures were multiplied by three and added for each quarter to calculate annual figures. For FY 2010, CSBs were supposed to report hearings attended for all months in each quarter. Comparing FY 2010 figures with FY 2009 figures for each CSB, it appears that some CSBs continued reporting hearings for only one month each quarter. Figures for those CSBs were adjusted to calculate FY 2010 annual figures. Department staff are working with individual CSBs to ensure reports reflecting hearings attended in all months are submitted for FY 2011.

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Appendix C: Statewide Summary of FY 2010 Data for Item 273.C		
Data Reported by All CSBs		Data
1.	Numbers of Emergency Custody Orders (ECOs)	
1.a.	Number of Individuals Seen Who Were Under ECOs Issued by Magistrates ¹	5,784
1.b.	Number of Individuals Seen Who Were Under Custody of Law Enforcement Officers Without ECOs (Paperless ECOs)	6,454
2.	Dispositions of Emergency Custody Orders (ECOs)	
2.a.	Number of ECOs Resulting in Temporary Detention Orders (TDOs)	7,218
2.b.	Number of ECOs Resulting in Release of Individuals From Custody	3,975
2.c.	Number of ECOs With Other Dispositions	1,045
Data Reported by Sample CSBs ²		Data
3.	Location of Emergency Custody Orders (ECOs)	
3.a.	Number of ECOs Seen in Non-State Medical Hospital Emergency Departments	131
3.b.	Number of ECOs Seen in Non-State Medical Hospital Psychiatric Units	2
3.c.	Number of ECOs Seen in Other Non-State Medical Hospital Locations	2
3.d.	Number of ECOs Seen in Non-State Psychiatric Hospitals	0
3.e.	Number of ECOs Seen in State Psychiatric Hospitals	0
3.f.	Number of ECOs Seen in Residential Crisis Stabilization Units	0
3.g.	Number of ECOs Seen in Ambulatory (23 hour) Crisis Stabilization Services	105
3.h.	Number of ECOs Seen in Law Enforcement Facilities (Jails or Police Stations)	40
3.i.	Number of ECOs Seen in Homeless Shelters	0
3.j.	Number of ECOs Seen in Other Community Locations	121
4.	Duration of Temporary Detention Orders (TDOs) ³	
4.a.	Number of TDOs With a Duration of Up Through 24 Hours	552
4.b.	Number of TDOs With a Duration of More Than 24 up Through 48 Hours	467
4.c.	Number of TDOs With a Duration of More Than 48 up Through 72 Hours	476
4.d.	Number of TDOs With a Duration of More Than 72 up Through 96 Hours	102
4.e.	Number of TDOs With a Duration of More Than 96 Hours	27
5.	Location of Temporary Detention Orders (TDOs)	
5.a.	Number of TDOs Detained in Non-State Med. Hospital Emergency Departments	211
5.b.	Number of TDOs Detained in Non-State Medical Hospital Psychiatric Units	705
5.c.	Number of TDOs Detained in Non-State Psychiatric Hospitals	391
5.d.	Number of TDOs Detained in State Psychiatric Hospitals	137
5.e.	Number of TDOs Detained in Residential Crisis Stabilization Units	5
5.f.	Number of TDOs Detained in Ambulatory Crisis Stabilization Services	0
5.g.	Number of TDOs Detained in Law Enforcement Facilities	9
5.h.	Number of TDOs Detained in Other Community Locations	166

¹ The numbers of ECOs in 1.a may not equal the total numbers of ECOs issued by magistrates because some ECOs are not executed.

² Sample CSBs are Chesapeake, Colonial, Eastern Shore, and Fairfax-Falls Church.

³ Duration means the time between issuance of a TDO and a commitment hearing. The purpose of reporting TDOs by ranges of time is to identify TDOs that are too short (4.a.) or too long (4.e.) to meet the requirements in § 37.2-809 of the *Code of Virginia*.

Numbered and lettered column headings on the next table refer to the top of the table above.

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Appendix C: Individual CSB Data for Item 273.C					
Community Services Board	1.a	1.b.	2.a	2.b.	2.c.
Alexandria	40	80	112	8	0
Alleghany Highlands	29	46	38	31	6
Arlington County	45	90	73	44	18
Blue Ridge	387	708	702	288	105
Central Virginia	473	506	560	380	39
Chesapeake	98	0	86	12	0
Chesterfield	91	306	284	92	21
Colonial	42	83	75	49	1
Crossroads	143	100	169	74	0
Cumberland Mountain	149	82	130	93	8
Danville-Pittsylvania	357	0	210	145	2
Dickenson County	57	30	59	24	4
District 19	224	296	50	352	118
Eastern Shore	102	6	75	13	20
Fairfax-Falls Church	12	93	80	0	25
Goochland-Powhatan	3	36	21	16	2
Hampton-Newport News	94	0	75	19	0
Hanover County	15	227	150	65	27
Harrisonburg-Rockingham	52	96	93	54	1
Henrico Area	5	415	328	40	52
Highlands	106	48	81	73	0
Loudoun County	61	402	183	147	133
Middle Peninsula-Northern Neck	135	136	158	97	16
Mount Rogers	286	239	318	178	29
New River Valley	99	186	192	92	1
Norfolk	37	397	197	171	66
Northwestern	127	376	184	213	106
Piedmont	243	101	266	61	17
Planning District One	172	48	154	61	5
Portsmouth	0	42	39	2	1
Prince William County	731	281	541	450	21
Rappahannock Area	198	143	215	82	44
Rappahannock-Rapidan	61	50	63	48	0
Region Ten	127	84	109	102	0
Richmond Behavioral Health Auth.	306	2	213	68	27
Rockbridge Area	39	28	48	12	7
Southside	64	94	107	46	5
Valley	167	156	189	134	0
Virginia Beach	152	268	322	23	75
Western Tidewater	255	173	269	116	43
Statewide Totals	5,784	6,454	7,218	3,975	1,045

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Appendix D: Civil Commitment Emergency Services Data		
Emergency Service Subtype	Individuals Served	Service Hours Provided
Crisis Intervention Provided Under an ECO	4,285	10,664
Crisis Intervention Provided Under Law Enforcement Custody	5,585	12,887
Independent Examination	369	375
Commitment Hearing	7,918	7,838
Mandatory Outpatient Treatment Order Review Hearing	6	11

These civil commitment service subtypes constitute a relative small proportion of all emergency services provided by CSBs. In FY 2010, CSBs provided 135, 280 hours of crisis intervention services not associated with the civil commitment process to 46,617 individuals.

Definitions of Emergency Services Subtypes

Service Subtype is a specific activity associated with a particular core service category or subcategory for which a service.txt file is submitted in the CCS. Currently, service subtypes are defined only for Emergency Services. Service subtype is collected at every Emergency Services encounter and reported in the service file. There are six subtypes of Emergency Services. Information is not reported separately on each subtype, but every Emergency Service encounter is coded with one of these subtypes in the CCS.

- a. **Crisis Intervention:** Clinical intervention provided in response to an acute crisis episode; includes counseling, short term crisis counseling, triage, or disposition determination; this includes all Emergency Services not included in the following service subtypes.
- b. **Crisis Intervention Provided Under an Emergency Custody Order:** Clinical intervention and evaluation provided by a certified preadmission screening evaluator in response to an emergency custody order (ECO) issued by a magistrate.
- c. **Crisis Intervention Provided Under Law Enforcement Custody (paperless ECO):** Clinical intervention and evaluation provided by a certified preadmission screening evaluator to an individual under the custody of a law enforcement officer without an ECO issued by a magistrate.
- d. **Independent Examination:** An examination provided by an independent examiner who satisfies the requirements in and who conducts the examination in accordance with § 37.2-817 of the *Code of Virginia* in preparation for a civil commitment hearing.
- e. **Commitment Hearing:** Attendance of a certified preadmission screening evaluator at a civil commitment or recommitment hearing conducted pursuant to § 37.2-817 of the *Code of Virginia*.
- f. **MOT Review Hearing:** Attendance at a review hearing conducted pursuant to §§ 37.2-817.1 through 37.2-817.4 of the *Code of Virginia* for a person under a mandatory outpatient treatment (MOT) order.