

Involuntary Mental Health Commitment: Court Looks At Definitions Of Suicidal, Dangerous.

A patient filed a legal challenge to the decision by local officials to commit him for involuntary mental health evaluation and treatment based on danger to self and a pattern of conduct which showed impaired judgment.

The Supreme Court of Wisconsin affirmed the decisions of the lower courts which all ruled in favor of involuntary commitment of the patient.

Verbalized Suicidal Ideation Dangerousness to Self

The Court ruled that the patient's statement to the emergency department nurse that he was suicidal, by itself, was grounds for involuntary commitment.

The Court went on to rule that an articulated plan to commit suicide is not a necessary component of a suicide threat for purposes of the involuntary mental health commitment law.

After the patient reported he was suicidal the nurse left the exam room to contact a county mental health crisis worker who had the authority to order him detained.

The patient grabbed his jacket and bolted from the hospital. The nurse called the police. The police found him in a nearby public park, took him into custody and returned him to the hospital. A police officer ordered him detained for mental health reasons.

The patient told the emergency room nurse that he was suicidal.

By itself that was grounds for the patient to be hospitalized involuntarily for dangerousness to himself.

To mental health professionals the word suicidal includes suicidal ideation without intent to act and suicidal ideation expressed along with a specific plan.

Being able to articulate a specific plan to commit suicide is not necessary to establish a threat of harm to self that will satisfy the involuntary mental health commitment law.

The Columbia Suicide Severity Rating Scale is a useful instrument to rate levels of suicide risk.

Yet no one can predict which patients who express any sort of suicidal ideation will actually follow through.

SUPREME COURT OF WISCONSIN
December 16, 2014

Pattern of Behavior Showing Impaired Judgment

The Court also ruled that during the days before his mother brought him to the E.R. the patient's behavior pattern showed his judgment was severely impaired.

The patient had been hospitalized before. A year earlier he had moved to Minnesota, he said, to avoid a court order to take antipsychotic meds. Then out of the blue he showed up at his mother's home in Wisconsin at 5:00 a.m. He appeared distraught like before his hospitalization.

Twice he asked to be taken to the hospital, but he refused to take any medication and did not stay.

He disappeared for hours with his five year-old niece after picking her up to go to McDonald's. He had dropped his car at a repair shop and then walked several miles in the snow with the young girl. When he finally got home he was furious about unidentified people who were after him.

The next day he asked to be taken to the hospital. He said that something was not right in his head but he did not know what. His mother took him to the hospital.

After he admitted to the nurse that he was suicidal, and the nurse left the room to make a phone call, his mother asked him how he planned to kill himself. He did not deny that he had a plan, he said it was too complicated to explain. Then he grabbed his coat and eloped from the hospital.

All the evidence pointed to grounds for involuntary commitment. **Michael H., ___ N.W. 2d ___, 2014 WL 7150694 (Wisc., December 16, 2014).**

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