



Monterey County Behavioral Health Policies and Procedures

Policy Number	333
Policy Title	Involuntary Treatment for Individuals with Mental Health Disorders
References	AB 1424, 2099, 2275 MCBH Policies 303, 321, 334, 336, 350, 350-B, 351, 352 MC Inter-Agency Law Enforcement/Mental Health Protocol WIC §§ 5008, 5008.2, 5150, 5150.1, 5150.2, 5151, 5200, 5250, 5225, 5253, 5254, 5254.1, 5255, 5256, 5256.4, 5257, 5260, 5270.10, 5270.15, 5275, 5276, 5300, 5350, 5585, 5585.25, 5651.3
Form	5150 Professional Staff Authorization Card Application for Assessment, Evaluation, and Crisis Intervention or Placement for Evaluation and Treatment” form (DHCS 1801 aka MH 302 Involuntary Patient Advisement (DHCS 1802 aka MH 303) Notice of Certification (DHCS 1808 aka MH 1760)
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Policy

Monterey County Behavioral Health (MCBH) Bureau’s policy and procedures regarding involuntary detention for assessment, evaluation, and treatment of persons with mental health disorders who are a danger to themselves, danger to others, and/or gravely disabled will comply with Division 5 of the California Welfare and Institutions Code (WIC), which contains the Lanterman-Petris-Short (LPS) Act and the Children’s Civil Commitment and Mental Health Treatment Act of 1988.

On January 1st, 2002, California implemented Assembly Bill (AB) 1424. It modifies the LPS Act, which governs involuntary treatment for persons with mental health disorders in California. The legislative intent of the bill is as follows:

The Legislature finds and declares all of the following: Many families of persons with serious mental illness find the Lanterman-Petris-Short Act system difficult to access and not supportive of family information regarding history and symptoms. Persons with mental illness are best served in a system of care that supports and acknowledges the role of the family, including parents, children, spouses, significant others, and consumer-identified natural resource system. It is the intent of the Legislature that the Lanterman-Petris-Short Act system procedures be clarified to ensure that families are a part of the system response, subject to the rules of evidence and court procedures.

On September 30th, 2022, California implemented AB 2275 which modifies the LPS Act. It specifies that the “72-hour period of detention begins at the time when the person is first detained.” It removes “the provisions for postponement of the certification review hearing,” and specifically:

When a person has not been certified for 14-day intensive treatment and remains detained on a 72-hour hold, [a person] would require a certification review hearing to be held within 7 days of the date the person was initially detained and would require the person in charge of the facility where the person is detained to notify the detained person of specified rights.

Procedures

72-Hour Involuntary Hold (5150) of Persons with Mental Health Disorders for Evaluation and Treatment

1. In accordance with the LPS Act and the Children’s Civil Commitment and Mental Health Treatment Act of 1988, persons who are a danger to themselves, a danger to others, and/or gravely disabled due to a mental health disorder may be taken or caused to be taken into custody for a period of up to 72 hours for assessment, evaluation, and crisis intervention, or placement for evaluation and treatment in a facility designated by the county for evaluation and treatment with probable cause.
 - A. The 72-hour involuntary custodial hold shall be referred to in this document as a “5150 hold.”
 - i. This term shall encompass both Sections 5150 and 5585.
 - B. In Monterey County, the 72-hour period for the 5150 hold begins immediately when the person is first detained on the 5150 hold (even if this occurs in the community and not in a designated facility).
 - i. Monterey County considers weekends and holidays as part of the 72-hour period of the 5150 hold.

- C. Persons authorized to initiate 5150 holds in Monterey County are:
- i. Peace officers.
 - ii. All physicians licensed by the Medical Board of California who live in or practice in Monterey County.
 - iii. Designated MCBH mental health professionals.
 - iv. Designated attending staff of Monterey County 5150 facilities:
 - v. Natividad Medical Center (NMC) in Salinas; and
 - vi. Community Hospital of the Monterey Peninsula (CHOMP) in Monterey.
 - vii. Other mental health professionals designated by the MCBH Director.
 - a. MCBH mental health professionals, designated attending staff from NMC and CHOMP, and other mental health professionals designated by the MCBH Director must possess current Monterey County 5150 hold certification and designation as represented by a 5150 Professional Staff Authorization Card issued within the current calendar year.
2. To constitute probable cause to detain pursuant to Section 5150, a statement of facts must be known that would lead a person of ordinary care and prudence to believe, or to entertain a strong suspicion, that the person detained has a mental health disorder is a danger to themselves, a danger to others, and/or is gravely disabled.
- A. When determining if probable cause exists to involuntarily hold a person, the authorized person making the determination shall consider available relevant information about the historical course of the person's mental disorder if the authorized person determines that the information has a reasonable bearing on the determination as to whether the person is a danger to others, or to themselves, or is gravely disabled as a result of the mental disorder.
- i. "Information about the historical course of the person's mental health disorder" includes evidence presented by the person who has provided or is providing mental health or related support services to the person; by one or more members of the family of that person; and evidence presented by the person subject to a determination or anyone designated by that person.
 - ii. AB 1424 mandates that the individual's historical course shall be considered at all steps of the process. This means that family members are able to give information to the treatment providers no matter whether or not there is a signed Authorization for Use,

Exchange, and Disclosure of Confidential Behavioral Health Information on file. More specifically, AB 1424 requires:

- a. The history of mental illness, including prior hospitalizations, symptoms, and treatment received, will be considered when determining whether the person is a danger to self/others or gravely disabled.
 - b. The hearing officer or court will obtain relevant evidence from family members, treatment providers, or anyone designated by the person.
 - c. The facilities will make available the information received by the families to the hearing officer or judge.
 - d. The peace officer or county-designated mental health professional who wrote the legal document to detain the person ("5150") will consider information provided by the family or treating professional. This will include information about the history of the mental illness when deciding whether there is probable cause for hospitalization.
 - e. If probable cause is based on a statement of a person other than the person authorized to initiate the hold, such person may be liable in a civil action for intentionally giving a statement that individual knows to be false. The person has the legal right to challenge information provided by the family.
3. An application in writing for the 5150 hold is required.
- A. The written application must utilize the Department of Health Care Services (DHCS) "Application for Assessment, Evaluation, and Crisis Intervention or Placement for Evaluation and Treatment" form (DHCS 1801 aka MH 302).
 - B. This application must include:
 - i. A statement of the circumstances under which the person's condition was called to the attention of the person initiating the hold; and
 - ii. Detailed information regarding factual circumstances and observations constituting probable cause that the person is a danger to themselves, danger to others, and/or gravely disabled as a result of a mental health disorder.
4. The person initiating a 72-hour involuntary hold shall:
- A. Give the person being placed on an involuntary hold the following information orally in a language or modality accessible to the person. If

the person cannot understand an oral advisement, the information shall be given in writing. The information shall be in substantially the following form:

My name is _____ (name).

I am a _____ (peace officer/mental health professional) with _____ (name of agency).

You are not under criminal arrest, but I am taking you for an examination by mental health professionals at _____ (Natividad Medical Center/Community Hospital of the Monterey Peninsula).

You will be told your rights by the mental health staff.

If placed on an involuntary hold at their residence, also advise the person of the following information:

You may take a few personal items with you, which I will have to approve. Please inform me if you need assistance turning off any appliance or water. You may make a phone call and leave a note to tell your friends or family where you have been taken.

- B. Take reasonable precautions to safeguard property in the possession of or on the premises occupied by the person unless a responsible relative (i.e., spouse, parent, adult child, domestic partner, grandparent, adult grandchild, or adult sibling), guardian, or conservator of the person is in possession of the property.
 - C. Document a statement of good cause, as defined by the regulations of the CA DHCS, if the advisement cannot be completed.
5. 5150 Hold Documents
- A. The person who initiates the application for a 5150 hold shall ensure that a completed and signed original copy or copy of signed original (AB 2099(e)) of the required form, is provided to the designated 72-hour assessment, evaluation, and treatment facilities.
6. Transportation of persons on a 5150 hold may be completed by:
- A. The person/agency initiating 5150 hold if the person can be transported safely based upon the assessment of the designated professional initiating the hold.
 - B. Ambulance, if necessary.
 - C. Law enforcement/peace officer (refer to Inter-Agency Law Enforcement/Mental Health Protocol, 2010), if necessary.

- i. No peace officer seeking to transport, or having transported, a person to a designated 5150 facility for assessment, shall be instructed by mental health personnel to take the person to, or keep the person at, a jail solely because of the unavailability of an acute bed, nor shall the peace officer be forbidden to transport the person directly to the designated facility.
- ii. No mental health employee from an agency providing Short-Doyle psychiatric emergency services shall interfere with a peace officer performing duties under Section 5150 by preventing the peace officer from entering a designated facility with the person to be assessed, nor shall any employee of such an agency require the peace officer to remove the person without assessment as a condition of allowing the peace officer to depart (WIC § 5150.1).
- iii. Whenever a peace officer transports a person to a designated facility for assessment the designated facility shall not delay that officer longer than is necessary to complete all required documentation, and to ensure the safe and orderly transfer of custody of the detained person (WIC § 5150.2).

Responsibility of Designated 5150 Facility

1. Monterey County designated facilities for 72-hour assessment, evaluation, and intensive treatment related to 5150 holds are as follows:
 - A. NMC, Salinas.
 - B. CHOMP, Monterey.
2. It is the responsibility of MCBH and the 5150 facility to provide adequate in-service training to their personnel to assure up-to-date and thorough knowledge of the 5150 status and the MCBH policy.
3. All persons brought to a designated 5150 facility on a 5150 hold will be assessed to determine the need for admission (WIC § 5151).
4. The designated facility shall keep, for each patient evaluated, a record of the “detainment” advisement given to the person on a 5150 hold, which shall include all of the following:
 - A. The name of the person detained for evaluation.
 - B. The name and position of the peace officer or mental health professional taking the person into custody.
 - C. The date the advisement was completed.
 - D. Whether the advisement was completed.
 - E. The language or modality used to give the advisement.

- F. If the advisement was not completed, a statement of good cause, as defined by regulations of the CA DHCS.
5. At the time of admission, staff at the designated admitting 5150 facility shall give the person being admitted the following information orally and in writing in a language or modality accessible to the person. The written information shall be available to the person in English and in the language that is the person's primary means of communication. Accommodations for other disabilities that may affect communication shall also be provided. The information shall be in substantially the following form:

My name is _____.

My position here is _____.

You are being placed into this psychiatric facility because it is our professional opinion that, as a result of a mental health disorder, you are likely to (check applicable):

- Harm yourself.
- Harm someone else.
- Be unable to take care of your own food, clothing, and housing needs.

We believe this is true because _____ (list of the facts upon which the allegation of dangerous or gravely disabled due to mental health disorder is based, including pertinent facts arising from the admission interview).

You will be held for a period up to 72 hours. During the 72 hours you may also be transferred to another facility. You may request to be evaluated or treated at a facility of your choice. You may request to be evaluated or treated by a mental health professional of your choice. We cannot guarantee the facility or mental health professional you choose will be available, but we will honor your choice if we can.

During these 72 hours you will be evaluated by the facility staff, and you may be given treatment, including medications. It is possible for you to be released before the end of the 72 hours. But if the staff decides that you need continued treatment you can be held for a longer period of time. If you are held longer than 72 hours, you have the right to a lawyer and a qualified interpreter and a hearing before a judge. If you are unable to pay for the lawyer, then one will be provided to you free of charge.

If you have questions about your legal rights, you may contact the Monterey County Patients' Rights Advocate _____ (name) at (831) 755-4518.

Your 72-hour period began _____ (date/time).

- A. If advisement is not completed at time of admission, advisement process shall be continued for the duration of the patient's hold until completed.
6. The written record of the advisement above will be entered into the CA DHCS "Involuntary Patient Advisement" form (DHCS 1802 aka MH 303).
 - B. The original form should be given to the person and a copy kept in the person's record.
7. The facility may detain the person for evaluation and treatment for a period of time not to exceed 72 hours.
 - A. Person will receive psychiatric evaluation as soon after admission as possible and will receive the treatment and care the person's condition requires for the full period of time the person is held.
 - B. Person has the right to refuse anti-psychotic medication in the absence of an emergency or a judicial determination of incapacity.
 - C. A 5150 application or admission at no time authorizes the provision of medical treatment without the person's consent.
 - D. If a person on involuntary status develops a medical condition and requires transfer to a medical floor of the facility for treatment, the involuntary status will continue in force unless the psychiatrist who is directly responsible for the person's treatment, upon personal observation, discontinues the involuntary status, or if the time limit of the hold expires. In such case, the person will be notified that the person is no longer on involuntary status.
 - E. Person shall be released before 72 hours if the psychiatrist directly responsible for person's treatment believes, as a result of their personal observation, that the person no longer requires evaluation and treatment.
8. By the end of the 72-hour detention the person shall be:
 - A. Released;
 - B. Referred for further care on a voluntary basis;
 - C. Certified for intensive treatment (Pursuant to Section 5250); or
 - D. Referred or appointed a conservator or temporary conservator.
9. A facility to which a person who is involuntarily detained is transported to shall notify the MCBH Patient's Rights Advocate if a person has not been released within 72 hours of the involuntary detention.

10. The MCBH Bureau Director, or designee, and the peace officer who initiated the 5150, or a designee within that law enforcement agency, will be notified if the person is released after 72-hour detention, not detained, or is detained for less than 72-hours if:
 - A. The peace officer requests notification at the time they make the application and certifies that the detained person's actions would support the filing of criminal charges, in addition, the notice is limited to the person's name, address, date of admission, and date of release.
 - B. It will be the responsibility of the requesting officer or their agency to furnish the name and telephone number of the person being contacted.
11. If the person is not admitted but is determined to be in need of mental health treatment, all available alternative services will be offered.

Communication with Mental Health Providers About Persons Receiving Mental Health Services:

1. Outpatient Services
 - A. California and Federal law require that mental health providers obtain authorization from the person in care before they are able to communicate with family members, even to reveal that a person is receiving mental health services.
2. Inpatient Services
 - A. California law requires that hospitals inform families that a person has been admitted, transferred, or discharged unless the person requests that the information not be disclosed. If the admission is to a mental health unit and the person is unable to authorize the release of information, daily attempts shall be made in an effort to obtain consent or authorization. If this information is requested by the spouse, parent, child, or sibling of the person and the person is unable to authorize the release of such information, the requester shall be given notification of the person's presence in the facility.
 - B. Hospitals are required to notify persons that they have a right to refuse hospital disclosure of this information.
 - C. California and Federal law require that the hospital staff obtain authorization to disclose anything else to family members.
3. Family's Option
 - A. Although mental health providers are constrained in their ability to communicate with families without prior authorization, family members may provide information to treatment teams with or without authorization from the person. Family and/or support persons have the option of completing the AB1424 form ([Family Support | Monterey](#))

[County, CA](#)). This form was developed jointly by MCBH, NAMI Monterey County, and mental health persons in care to provide a means for family members and other support people to communicate about the person in care's mental health history pursuant to WIC sections 5008.2, 5150.05, and 5328. Section 5150.05 states that "any person who is authorized to take that person, or cause that person to be taken, into custody pursuant to that section SHALL consider available relevant information about the historical course of the person's mental disorder... " Mental health staff will place this form in the person in care's mental health chart.

14-Day Hold (5250) for Evaluation and Treatment of Persons with Mental Health Disorders

1. If a person is detained for 72 hours under the provisions of Article 1 (commencing with Section 5150), or under court order for evaluation pursuant to Article 2 (commencing with Section 5200) or Article 3 (commencing with Section 5225) and has received an evaluation, the person may be certified for not more than 14 days of intensive treatment related to the mental health disorder.
 - A. The 14-day involuntary custodial hold shall be referred to in this document as a "5250 hold."
 - B. A person may be certified for a 5250 hold under the following conditions:
 - A. The professional staff of the agency or facility providing evaluation services has analyzed the person's condition and has found the person is, as a result of a mental health disorder, a danger to others, a danger to themselves, or gravely disabled.
 - B. The facility providing intensive treatment is designated by Monterey County to provide intensive treatment and agrees to admit the person. No facility shall be designated to provide intensive treatment unless it complies with the certification review hearing required by this article. The procedures shall be described in the Monterey County Short-Doyle plan as required by Section 5651.3.
 - C. The person has been advised of the need for, but has not been willing or able to accept, treatment on a voluntary basis.
 - D. Notwithstanding paragraph (1) of subdivision (h) of Section 5008, a person is not "gravely disabled" if that person can survive safely without involuntary detention with the help of responsible family, friends, or others who are both willing and able to help provide for the person's basic personal needs for food, clothing, or shelter.

However, unless they specifically indicate in writing their willingness and ability to help, family, friends, or others shall not be considered willing or able to provide this help.

2. Persons Who May Authorize a 5250

A. For a person to be certified under this article, a notice of certification shall be signed by two people.

i. The first person shall be the professional person, or designee, in charge of the agency or facility providing evaluation services.

a. A designee of the professional person in charge of the agency or facility shall be a physician or a licensed psychologist who has a doctoral degree in psychology and at least five years of postgraduate experience in the diagnosis and treatment of emotional and mental disorders.

ii. The second person shall be a physician or psychologist who participated in the evaluation.

a. The physician shall be, if possible, a board-certified psychiatrist.

b. The psychologist shall be licensed and have at least five years of postgraduate experience in the diagnosis and treatment of emotional and mental disorders.

c. If the professional person in charge or their designee is the physician who performed the medical evaluation or a psychologist, the second person to sign may be another physician or psychologist, unless one is not available, in which case a licensed clinical social worker or a registered nurse who participated in the evaluation shall sign the notice of certification.

3. A notice of certification is required for all persons certified for intensive treatment pursuant to *Section 5250 or 5270.15* and shall be in substantially the following form):

The authorized agency providing 14-day intensive treatment, County of Monterey has custody of _____ (name, address, marital status, date of birth, sex).

We, the undersigned, allege that the above-named person is, as a result of mental disorder or impairment by chronic alcoholism (check applicable):

A danger to others

A danger to themself

Gravely disabled

The specific facts which form the basis of our opinion that the above-named-person meets one or more of the classifications indicated above are as follows: _____ (describe in detail).

The above-named person has been informed of this evaluation, and has been advised of the need for, but has not been able or willing to accept treatment on a voluntary basis, or to accept referral to, the following services: _____ (describe in detail).

We, therefore, certify the above-named person to receive intensive treatment related to the mental disorder or impairment by chronic alcoholism beginning this _____ day of _____ (month), 20____ (year), in the intensive treatment facility herein named _____ (Natividad Medical Center/Community Hospital of the Monterey Peninsula).

Signature _____

Date: _____

Signature _____

Date: _____

I hereby state that I delivered a copy of this notice this day to the above-named person and that I informed them that unless judicial review is requested a certification review hearing will be held within four days of the date on which the person is certified for a period of intensive treatment and that an attorney or advocate will visit them to provide assistance in preparing for the hearing or to answer questions regarding the person's commitment or to provide other assistance. The court has been notified of this certification on this day.

Signature _____

Date: _____

4. Advisement of Rights to the Certified Person

- A. The individual who delivers the copy of the notice of certification to the person certified must, at the time of delivery, inform the certified person of their right to either:
 - i. A certification review hearing within four days; or
 - ii. A review by a court pursuant to a writ of habeas corpus to determine whether probable cause exists to detain the person for intensive treatment related to the mental health disorder.
- 5. The written record of the certification above will be entered into the CA DHCS "Notice of Certification" form (DHCS 1808 aka MH 1760).

- A. The original form should be given to the Superior Court, and a copy shall be:
 - i. Personally delivered to the person certified.
 - ii. Sent to the person's attorney.
 - iii. Faxed to the Patients' Rights Advocate at (831) 796-8639 as soon as possible after personal delivery to the person.
 - B. The person certified shall also be asked to designate any person who is to be sent a copy of the certification notice.
 - i. If the person is incapable of making such a designation at the time of certification, the person shall be asked to designate such a person as soon as the person is capable.
6. Every person detained shall have a right to:
- A. Be informed of their rights with respect to the certification review hearing, including the right to the assistance of another person to prepare for the hearing and/or answer other questions and concerns regarding the involuntary commitment.
 - B. Receive an explanation regarding what judicial review by habeas corpus entails and be informed of their right to counsel at these hearings, including counsel appointed by the court pursuant to Section 5276 (WIC § 5254, 5254.1).
 - C. Be informed of their right to the assistance of another person, including the Monterey County Patient's Rights Advocate, to discuss the commitment process, assist the person in preparing for the certification review hearing, and answer questions or otherwise assist the person as is appropriate (WIC § 5255).
7. Certification Review Hearing Shall be Held without Postponement (AB 2275)
- A. When a person is certified for intensive treatment pursuant to Sections 5250 and 5270.15, a certification review hearing shall be held unless judicial review has been requested as provided in Sections 5275 and 5276. The certification review hearing shall be within four days of the date on which the person is certified for a period of intensive treatment unless postponed by request of the person or the person's attorney or advocate.
 - B. When a person is not certified for intensive treatment pursuant to Section 5250 and remains detained pursuant to Section 5150, a certification review hearing shall be held within seven days of the date the person was initially detained pursuant to Section 5150, unless judicial review has been requested as provided in Sections 5275 and 5276 (AB 2275).

8. Individual's rights at a certification hearing (WIC § 5256.4) shall include the right to:
 - A. Assistance by an attorney or advocate.
 - B. Present evidence on their own behalf.
 - C. Question persons presenting evidence in support of the certification decision.
 - D. Make reasonable requests for the attendance of facility employees who have knowledge of, or participated in, the certification decision.
 - E. Inform the person conducting the hearing prior to the beginning of the hearing if the person has received medication within 24 hours or such longer period of time and of the probable effects of the medication.
 - F. The hearing shall be conducted in an impartial and informal manner in order to encourage free and open discussion by participants. The person conducting the hearing shall not be bound by rules of procedure or evidence applicable in judicial proceedings.
 - G. Reasonable attempts shall be made by the mental health facility to notify family members or any other person designated by the person, of the time and place of the certification hearing, unless the person requests that this information not be provided. The person shall be advised by the facility that is treating the person that they have the right to request that this information not be provided.
 - H. All evidence which is relevant to establishing that the person certified is or is not as a result of mental disorder a danger to others, a danger to themselves, or gravely disabled, shall be admitted at the hearing and considered by the hearing officer.
 - I. Although resistance to involuntary commitment may be a product of a mental disorder, this resistance shall not, in itself, imply the presence of a mental disorder or constitute evidence that a person meets the criteria of being dangerous to self or others, or gravely disabled.
 - J. Hearing officer must find probable cause that the individual meets the criteria for an additional 14-day hold.
 - K. Individual may challenge granting of 14-day hold by filing a writ of habeas corpus with the Superior Court any time during the 14-day hold.
 - L. If not already requested, a Riese hearing can be requested by staff at any time during the 14-day hold. Each subsequent hold requires a new Riese hearing if medication have been refused by the person.
9. A copy of the decision that results from the certification hearing shall be submitted to the Superior Court.

10. A person who has been certified for a period of intensive treatment pursuant to Section 5250 shall be released at the end of 14 days (WIC § 5257) unless the person:
 - A. Agrees to receive further treatment on a voluntary basis;
 - B. Is certified for an additional 14 days of intensive treatment pursuant to Article 4.5 (commencing with Section 5260);
 - C. Is certified for an additional 30 days of intensive treatment pursuant to Article 4.7 (commencing with Section 5270.10);
 - D. Is the subject of a conservatorship petition filed pursuant to Chapter 3 (commencing with Section 5350); or
 - E. Is the subject of a petition for post-certification treatment of a dangerous person filed pursuant to Article 6 (commencing with Section 5300).
11. The professional person in charge of a facility providing intensive treatment, pursuant to Section 5250 or 5270.15, or that person's designee, shall notify the MCBH Director, or the Director's designee, and the peace officer who made the original written application for 72-hour evaluation pursuant to Section 5150 or a person who is designated by the law enforcement agency that employs the peace officer, that the person admitted pursuant to the application has been released unconditionally if all of the following conditions apply (WIC § 5250.1):
 - A. The peace officer has requested notification at the time he/she makes the application for 72-hour evaluation;
 - B. The peace officer has certified in writing at the time they made the application that the person has been referred to the facility under circumstances which, based upon an allegation of facts regarding actions witnessed by the officer or another person, would support the filing of a criminal complaint; and
 - C. The notice is limited to the person's name, address, date of admission for 72-hour evaluation, date of certification for intensive treatment, and date of release.
 - i. If a police officer, law enforcement agency, or designee of the law enforcement agency, possesses any record of information obtained pursuant to the notification requirements of this section, the officer, agency, or designee shall destroy that record two years after receipt of notification.

Definitions

- I. Danger to self: A person may be dangerous to self when the person has recently threatened or attempted suicide or some other serious bodily injury. The person may have demonstrated danger of substantial and imminent harm to themselves through some recent act, attempt, or threat of the same.
- II. Danger to others: A person may be dangerous to others when the person has recently threatened or attempted homicide or some other serious bodily injury to others. The person may have demonstrated danger of substantial and imminent harm to others through some recent act, attempt, or threat of the same.
- III. Gravely disabled: A condition in which a person, as a result of a mental health disorder, is unable to provide for their own basic personal needs for food, clothing, and shelter (WIC § 5008(h)).
- IV. Gravely disabled minor: A minor who, as a result of a mental health disorder, is unable to use the elements of life which are essential to health, safety, and development, including food, clothing, and shelter, even though provided to minors by others. Intellectual disability, epilepsy, or other development disabilities, alcoholism, other drug abuse, or repeated antisocial behavior do not, by themselves, constitute a mental disorder (WIC § 5585.25).