


MEMORANDUM

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TO: The Honorable Mayor & City Council

FROM: Lacey G. Simpson, Assistant General Manager Initials: 

DATE: September 28, 2023 File #: MGR23-502

RE: **PeaceHealth Ketchikan Medical Center Mental Health Holds**

Mental health holds taking place at the PeaceHealth Ketchikan Medical Center have been a recurring subject during recent discussions at City Council meetings concerning homeless and disorderly conduct issues.

Involuntary and emergency detention for evaluation, or Title 47 Mental Health Holds, are subject to provisions outlined in Alaska Statute Title 47. The purpose of the detention or hold is to deliver a person to a crisis stabilization center, crisis residential center, evaluation facility, or treatment facility for an involuntary psychiatric evaluation because that individual is believed to be gravely disabled or is suffering from mental illness and is likely to cause serious and immediate harm to themselves or others.

The policies and procedures surrounding Title 47 Mental Health Holds at the PeaceHealth Medical Center were the subject of extensive discussions during the lease negotiations between the City of Ketchikan and PeaceHealth. The lease agreement, which went into effect October 1, 2021, codifies PeaceHealth's obligation to provide Title 47 hold services per Section 7 – Tenant's Obligations Related to Operation of KMC, Subsection m, and reads as follows:

m. Involuntary/Emergency Psychiatric Hold Services (Title 47)

Tenant, the City of Ketchikan Police Department, and local mental health treatment centers shall work in good faith to establish and follow care policies and procedures regarding involuntary/emergency psychiatric holds in accordance with state and federal regulations. Tenant has provided a copy of its current policy (as of the signature date below) regarding involuntary/emergency psychiatric hold services to Landlord ("Title 47 Policy"). Tenant shall use its reasonable best efforts to maintain its status as a Designated Evaluation and Stabilization Facility (aka a "DES" Facility) under the Alaska Mental Health Treatment Assistance Program.

As of the signature date of this Lease, Tenant has or intends to implement the following regarding its Title 47 Policy, practices, and procedures regarding involuntary/emergency patients:

- Tenant will work with Landlord and the City of Ketchikan Police Department to address patient elopement by: hiring additional, security officers or other qualified personnel to allow for 24/7 security in the ED; assign dedicated caregivers to monitor the camera that observes high flight risk patients; use qualified personnel to assist with high flight risk patients with violent tendencies (as assessed by the clinical team); update attending physician order sets to default to “close observation” for Title 47 patients; require at-risk patients to wear different colored patient gowns to assist in identification; and implement appropriate drills for training regarding Title 47 patients and patient elopement. When security officers are utilized for high flight risk patients with violent tendencies, they will operate within the reasonable limits of security officer’s training and capabilities.
- Tenant will notify the appropriate parties (e.g., City of Ketchikan Police Department and the Superior Court) of the release of any Title 47 patient in accordance with AS 47.30.720.
- Tenant shall provide continuing education and training to its Medical Staff and ED and med/surg nursing staff regarding obligations related to Title 47 patients.
- Issues related to Title 47 patients may be addressed by the parties as part of the HAC process. Tenant shall provide the HAC with updated copies of its Title 47 Policy when material updates are made to the same.

As Police Chief Walls details in his memorandum dated September 12, 2023 [see agenda statement 9f, Enforcement Issues for Police], individuals who are taken into custody by City police officers due to a lawful violation are often also intoxicated. Intoxicated individuals cannot be properly evaluated for any mental health concerns that may fall under Title 47, nor can they be medically cleared until sober so that they can be charged and transported to the correctional facility. This situation often requires Ketchikan Police Department officers to sit with the arrested individual for perhaps several hours at the hospital until the individual is sober and can be medically cleared and charged and/or receive a psychiatric evaluation. This process is extremely draining on limited Police Department resources, and PeaceHealth is under no contractual obligation to provide security services to the detained individual awaiting medical clearance until Title 47 criteria has been established.

As mentioned by Chief Walls, this repetitive and unproductive situation would be best served with the establishment of a sobering center. Such a facility would relieve the burden officers and Emergency Department staff far too often face when responding to intoxicated individuals who have committed violations and/or may be suffering from severe mental health issues. As the City Council will recall, a sobering center was a top short-term priority to address area homeless issues in the 2022 Homeless Planning Report the City commissioned from Rider Consulting and was determined to be a major gap in the local homeless support and response system. The final report was transmitted to the City Council as part of the April 20, 2023, meeting agenda.