

SOUTHERN FOX VALLEY  
EMERGENCY MEDICAL SERVICES SYSTEM

TITLE: SFV/EMS Petition for Involuntary/Judicial Admission

NUMBER: D-38

SECTION: General Policies

PREPARED BY: EMS Administration

DATE REVIEWED: 08/17/2018

DATE REVISED:

DATE INITIATED: 08/17/2018

REVISION NO: 1 of 1

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If the patient is judged to have a psychiatric cause for their illness that meets one of the eligibility requirements on the petition form, EMS personnel should initiate The State of Illinois Department of Human Services - Division of Mental Health: **Petition for Involuntary/Judicial Admission Form IL462-2005 (R-04-18)**

- A Petition for Involuntary Judicial Admission form is the first step in a legal process that protects the patient's rights and is necessary before a physician can determine if an involuntary admission is necessary.
- A petition form is to be completed when EMS personnel or family members have first-hand knowledge and reasonably suspect that a patient is mentally ill and because of their illness would intentionally or unintentionally inflict serious physical harm upon themselves or others in the near future, is mentally retarded and is reasonably expected to inflict serious physical harm upon himself/herself or others in the near future, or is unable to provide for his or her own basic physical needs so as to guard himself or herself from serious harm and needs transport to a hospital for examination by a physician (Ill Mental Health Code).
- A petition form should be completed for all patients that meet the above criteria. They may be transported with or without their consent for medical evaluation. Careful documentation of first-hand observations is critical.

**Instructions for completing the petition form**

**Statutory reason for initiation of petition:** Leave first page blank except for the patient's name.

Check only one box; generally, the first, "Emergency admission by certificate".

**Assertions (page 2):** The EMS responder must insert the patient's name and check the assertion that applies; they believe the patient is:

- a. A person with mental illness and because of his/her illness is reasonably expected to inflict serious physical harm upon himself/herself or another in the near future (prior standard); or
- b. A person who is mentally ill and who because of his/her illness is unable to provide for his/her basic physical needs so as to guard himself/herself from serious harm without the assistance of family or outside help; or
- c. A person who is mentally incapable and is reasonably expected to inflict serious physical harm upon himself/herself or others; and/or
- d. In need of immediate hospitalization for the prevention of such harm.

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e. A detailed statement of the reason for the assertion that the respondent is subject to involuntary admission on an inpatient basis, including the signs and symptoms of a mental illness and a description of any acts, threats, or other behavior or pattern of behavior supporting the assertion and the time and place of their occurrence.

f. The name and address of the spouse, parent,

guardian, substitute decision maker, if any, and close relative, or if none, the name and address of any known friend of the respondent whom the petitioner has reason to believe may know or have any of the other names and addresses. If the petitioner is unable to supply any such names and addresses, the petitioner shall state that diligent inquiry was made to learn this information and specify the steps taken.

Do not leave this section blank.

**Page 3:**

a. Leave first statement area blank. Hospital will fill in.

b. Insert information regarding police officer involvement if applicable.

c. Notification statements: If another adult or the EMS responder is signing the petition form, they have the option of requesting or declining notifications as listed.

The person who signs the petition (petitioner) must be 18 years or older. If the family is not available or refuses to sign the form, the next most appropriate person would be a police officer who witnessed or was informed about the behavior. If police are not present or refuse to sign, EMS personnel who witnessed the behavior must sign the form. EMS personnel should indicate if involuntary transport has been ordered per on-line medical control.

List the petitioner's relationship to the patient and a statement as to whether the petitioner has legal or financial interest in the matter or is involved in litigation with the patient as known to you at the time of the call.

The petition must indicate the date it is filled out.

**Page 4:** Leave blank.

The IL462-2005 (R-04-18) form should be attached to the EMS Patient Care Report left at the hospital and shall become a part of the patient's permanent medical record in the ED. If this form is completed appropriately by EMS personnel and a physician determines that an involuntary hospital admission is indicated, the Petition Form may be added to the physician's certificate and admission orders as part of the statutorily required documents.

**Exemption from liability**

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"All persons acting in good faith and without negligence in connection with the preparation of applications, petitions, certificates or other documents, for the apprehension, transportation, examination, treatment, habitation, detention, or discharge of an individual under the provisions of the Act incur no liability, civil or criminal, by reason of such acts."