

SHIAWASSEE COUNTY COMMUNITY MENTAL HEALTH AUTHORITY
POLICY AND PROCEDURE MANUAL

Section: Recipient Rights
Policy Number: 27
Subject: **Duty to Warn**

Effective Date: 7/16/90
Last Revision Date: 2/20/09
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Policy

It is the policy of Shiawassee County Community Mental Health Authority (SCCMHA) that its staff will comply with the requirements imposed by Public Act 123 of 1989 regarding a mental health practitioner's duty to warn upon knowledge of threat of physical violence to third parties.

Purpose

To ensure compliance with Public Act 123 of 1989

Application

All clinical staff

Procedure

If a client communicates to a staff person treating the client of a threat of physical violence against a reasonably identified third person and the client has the apparent intent and the ability to carry out the threat in the foreseeable future, the staff person will:

1. Immediately convene a case consultation group.
2. Based on the recommendations of the group, the staff person will do one or more of the following in a timely manner:
 - a. Hospitalize the client or initiate proceedings to hospitalize the client.
 - b. Make a reasonable attempt to communicate the threat to the third person by telephone and/or in writing and communicate the threat to the Michigan State Police by telephone.
 - c. If the staff person has reason to believe that the third person who is threatened is a minor or is incompetent by reason other than age, the staff person, in addition to the steps set forth in (b) above, will communicate the threat to the Department of Social Services in the county where the minor

resides and the third person's custodial parent, non-custodial parent or legal guardian whoever is appropriate in the best interest of the third person.

3. Documentation of the steps taken will be entered into the client's chart.

Approved by: *Jerry Walden*
Board Chairperson

 2/20/09
Date

 Scott Gilman
Chief Executive Officer

 2/20/09
Date

