

90 INF-16

Mental Health Evaluations for Certain
Involuntary Clients

NEW YORK STATE
DEPARTMENT OF SOCIAL SERVICES
 40 NORTH PEARL STREET, ALBANY, NEW YORK 12243-0001
 CESAR A. PERALES
 Commissioner



INFORMATIONAL LETTER

TRANSMITTAL NO: 90 INF-016

Division: Adult Services

DATE: April 9, 1990

TO: Commissioners of Social Services

SUBJECT: Protective Services for Adults: Mental Health
 Evaluations for Certain Involuntary Clients

SUGGESTED
 DISTRIBUTION: Director of Services
 Adult Services Staff
 Agency Attorneys
 Staff Development Coordinators

CONTACT PERSON: Any questions concerning this release should be
 directed to your district's Adult Services
 Representative at 1-800-342-3715 as follows:

- Irvin Abelman, 1-800-342-3715, ext. 432-2980 or (212) 804-1247
- Kathleen Crowe, 1-800-342-3715, ext. 432-2996
- Cheryl Flanigan, 1-800-342-3715, ext. 432-2997
- Sharon Lane, 1-800-342-3715, ext. 432-2985
- Marsha Ross Meyers, 1-800-342-3715, ext. 432-2864

ATTACHMENTS: Two Memorandums from the State Office of
 Mental Health
 (not available on-line)

FILING REFERENCES

Previous ADMs/INFs	Releases Cancelled	Department Regs.	Soc. Serv. Law & Other Legal Ref. Article 9-B Secs. 33.13 (d), 41.01 and 41.13MHL	Bulletin/ Chapter Ref.	Misc. Ref.
88 ADM-23		Part 457			

The purpose of this release is to clarify state policy regarding the completion of mental health assessments for certain Protective Services for Adults (PSA) clients.

As indicated in Section IV.D of 88 ADM-23 "Protective Services for Adults: Serving Involuntary Clients", the State Office of Mental Health (OMH) has advised us that it is the responsibility of local mental health departments to provide or to arrange for the provision of mental health evaluations on behalf of involuntary Protective Services for Adults (PSA) clients for whom the district is contemplating legal intervention. Also indicated in this section of the ADM is OMH's position that these evaluations may be shared with the districts pursuant to Section 33.13(d) and the provisions of Sections 41.01 and 41.13 of the Mental Hygiene Law, without violating client confidentiality. Despite this policy, in recent weeks a number of districts have contacted the Department about the problems they are encountering in obtaining psychiatric evaluations from local mental health providers on behalf of PSA clients.

In response to these problems, we requested OMH to clarify state policy on this issue for its regional offices and local mental health departments. Attached for your information are copies of a recent memorandum from Senior Deputy Commissioner Alice Lin to the OMH Regional Directors on this subject and a related memorandum from OMH's Counsel, which should result in the satisfactory resolution of any problems districts are having in obtaining mental health evaluations on behalf of PSA clients.


Judith Berek
Deputy Commissioner
Division of Adult Services