CPEP EMERGENCY ADMISSION (Mental Hygiene Law §9.40)	

I. GENERAL PROVISIONS FOR EMERGENCY ADMISSION TO A COMPREHENSIVE PSYCHIATRIC EMERGENCY PROGRAM (CPEP)

A. In order for a person to be admitted to a CPEP according to section 9.40 of the Mental Hygiene Law, all the following requirements must be met:

1. The CPEP must be licensed by the Office of Mental Health to provide psychiatric emergency services to patients admitted under this Section.
2. The person must be alleged to have a mental illness for which immediate observation, care, and treatment in a CPEP is appropriate and which is likely to result in serious harm to the person or others. “Likely to result in serious harm” means:
   - a substantial risk of physical harm to the person as manifested by threats of or attempts at suicide or serious bodily harm or other conduct demonstrating that the person is dangerous to themself, or
   - a substantial risk of physical harm to other persons as manifested by homicidal or other violent behavior by which others are placed in reasonable fear of serious physical harm, or
   - a substantial risk of physical harm to the person due to an inability or refusal, as a result of their mental illness, to provide for their own essential needs such as food, clothing, necessary medical care, personal safety, or shelter
3. A staff physician of the admitting CPEP must examine the person and find that the person meets the standard for admission under this Section. The admitting physician then completes this Form, OMH 476, CPEP Emergency Admission.

B. Specific authority for taking into custody and transporting or removing a person, who is alleged or appears to be mentally ill, to a CPEP for emergency admission is contained in the following sections 9.37, 9.41, 9.43, 9.45, 9.55, 9.57, 9.58, or 9.60 of the Mental Hygiene Law:

C. The person must be examined by a staff physician of the CPEP as soon as practicable, and in any event no later than six hours after being received in the CPEP emergency room (the main CPEP milieu). If the physician determines that the person may have a mental illness for which immediate observation, care and treatment in a CPEP is appropriate, and which is likely to result in serious harm to the person or others, the person may be admitted to the CPEP

On admission, the person will be given a written notice of status and rights as a patient admitted according to MHL Section 9.40. This notice will also be given to the Mental Hygiene Legal Service and up to three other persons designated by the person admitted.

If a person admitted according to this Section is to be retained for more than 24 hours after being received in the CPEP emergency room, another physician, who is a member of the psychiatric staff of the CPEP, must examine the person and confirm the admitting physician’s findings by completing page 3 of this form (OMH 476) and the person must be moved to an extended observation bed.

Within 72 hours of being received in the CPEP emergency room, if it is determined that the person is not in need of involuntary care and treatment, they shall be discharged unless they are suitable and agrees to be admitted to an appropriate hospital as a voluntary or informal patient. If it is determined that the person is likely to continue meeting the requirements for the CPEP emergency admission beyond the 72-hour period, the person shall be evaluated at and, if appropriate, admitted to a psychiatric hospital authorized to receive patients pursuant to MHL Section 9.39. If the person is determined to no longer meet the requirements for CPEP emergency admission, but the person is in need of continued inpatient care and treatment, and is not suitable or will not agree to be hospitalized as a voluntary patient, they may be admitted to an appropriate hospital as an involuntary patient by completion of an application and two medical examinations as required for admission according to MHL Section 9.27.

D. This form may be completed and signed electronically, pursuant to the Electronic Signatures and Records Act, including via a provider’s electronic health record. Providers must ensure the forms can be printed and/or delivered in the approved format to the admitting hospital, appropriate Court, and Mental Hygiene Legal Services, and other intended recipients.

NEW YORK STATE | Office of Mental Health

CPEP EMERGENCY ADMISSION **(Mental Hygiene Law §9.40)** OMH Form 476	**Name (Last, First, M.I.)** **Gender** _____ **Date of Birth** _____ **MRN** _____ **Location/Facility**

II. RECORD OF ADMISSION

A. The above-named person was brought to the CPEP by _____,
(Name)

_____ _____ _____
(Title/Badge No) (Telephone) (Address/Contact Info)

_____
(Relationship to Person)

Date and Time of Arrival _____ _____
(Date) (Time AM/PM)

B. Circumstances which led to the person being brought to this CPEP:

(if applicable) Person was taken into custody, transported, or removed to this CPEP in accordance with MHL § _____

C. I have examined the above-named person prior to admission and find there is reasonable cause to believe that the person has a mental illness for which immediate observation, care and treatment in a CPEP is appropriate and which is likely to result in serious harm (choose one or more):

☐ Threats of or attempts at suicide or serious bodily harm or other conduct demonstrating danger to themselves

☐ Homicidal or other violent behavior by which others are placed in reasonable fear of serious physical harm

☐ Inability or refusal, due to mental illness, to provide for their own essential needs such as food, clothing, necessary medical care, personal safety, or shelter

Physician's Signature	Date	Time (AM/PM)

NEW YORK STATE | Office of Mental Health

CPEP EMERGENCY ADMISSION (Mental Hygiene Law §9.40)	Name (Last, First, M.I.) _____
	Gender _____ Date of Birth _____
	MRN _____
OMH Form 476 continued	Location/Facility _____

III. Examinations to Confirm Need for Retention Beyond 24 Hours in an Extended Observation Bed

INSTRUCTIONS: To be completed by a physician, other than the admitting physician, who is a member of the psychiatric staff within 24 hours after the patient is received in the CPEP emergency room. Please note: no patient may be retained in the CPEP for more than 24 hours without being moved to an extended observation bed.

A. Pertinent and Significant Factors in Psychiatric and Medical History:

B. Physical Condition (including any laboratory, imaging, and other diagnostic test findings):

C. Psychiatric signs and symptoms:

D. Mental Status Exam

E. Collateral Information

F. Does the patient act in a way that is likely to result in serious harm (choose one or more):

☐ Threats of or attempts at suicide or serious bodily harm or other conduct demonstrating danger to themselves

☐ Homicidal or other violent behavior by which others are placed in reasonable fear of serious physical harm

☐ Inability or refusal, due to mental illness, to provide for their own essential needs such as food, clothing, necessary medical care, personal safety, or shelter

If yes, explain:

G: Psychiatric differential diagnosis: _____

Contributing co-occurring diagnoses: _____

IV. STAFF PSYCHIATRIST'S CONFIRMATION:

I have personally observed and examined _____ (Name) on _____ (Date) _____ (Time AM/PM)

Based on such examination and the case history, I hereby confirm that the patient may have a mental illness for which immediate care and treatment in a CPEP extended observation bed is appropriate, and which is likely to result in serious harm to the patient or others. The facts stated and information contained herein are true to the best of my knowledge and belief.

I am on the psychiatric staff of _____ (CPEP)

Signature of Examining Staff Psychiatrist	Print Name	Date	Time (AM/PM)