

Workbench Question Development Table						
Order	Variable Name	Question	Possible Answers	Public Description*	Internal Notes**	Question Type
1 (P)	CCcoder	What is the name of the coder?	Bryan Kozusko Mariam Ahmed	N/A	Not for publication	Categorical- Mutually Exclusive
2(P)	CC_Iteration	Iteration	*Numeric Field*	N/A	Not for publication	Numeric
3(P)	OC_Law	Is there a state law regulating outpatient commitment?	Yes No	State regulates outpatient commitment of an individual	For states that with non-court ordered outpatient commitment you are still coding as best you can even though the state may not fit perfectly into the coding scheme – so this would be a “yes”, provide a CN and use one of the terms to describe the variation: o Pre-adjudication o Conditional release o If other, describe	Binary
4(P)	OC_Criteria	What are the criteria for involuntary outpatient commitment	Danger to self Danger to others	Criteria for outpatient commitment	“Criteria” is defined as elements and the factors necessary to prove those elements	Categorical – Select All that Apply

		<p>of an individual?</p>	<p>Danger to self due to mental illness</p> <p>Danger to others due to mental illness</p> <p>Mental illness</p> <p>Unable to meet basic needs</p> <p>Treatment needed to prevent further deterioration</p> <p>History of noncompliance with treatment</p> <p>Unwilling or unable to voluntarily accept treatment</p> <p>Unlikely to survive in the community without supervision</p>		<p>Utah and California additionally define “mental disorder” as a disorder in the DSMMD</p> <p>Some states have specific evidence necessary to prove danger and noncompliance</p> <p>“Dangerous to self or others” can sometimes be satisfied by a finding of an acute, persistent, or grave disability</p> <p>Code danger to self and danger to others when there is a danger requirement but no mental illness requirement</p> <p>Code danger to self/others due to mental illness when the state requires both, OR when the danger is DUE to mental illness.</p>	
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					<p>Only code mental illness when there is no danger requirement, but there is a mental illness requirement.</p> <p>So each state should either have danger to self/others, OR danger to self/others due to mental illness, OR mental illness.</p>	
5(C)	OC_Exemptions	What classes of people are exempt from outpatient commitment?	<p>Chemical dependency</p> <p>Temporary intoxication</p> <p>Disability resulting from old age</p> <p>Disabilities resulting from birth</p> <p>Developmental disabilities</p> <p>Physical disabilities</p>	People exempt from outpatient commitment	<p>“Chemical dependency” is for addiction to drugs/alcohol</p> <p>Exemptions: Chemical dependency should be explained in the protocol, to show that when we code chemical dependency it means that chemical dependency only is enough. This applies to other exemptions, it is implied that the exemption is for people who have a developmental</p>	Categorical – Select All that Apply

			<p>Violent criminals</p> <p>Antisocial behavior</p> <p>No exemptions are explicitly indicated in the law</p>		<p>disability alone, for instance.</p> <p>The exemptions apply when you don't fall into the other criterion.</p> <p>Use a caution note if the law includes lifelong antisocial personality disorder as an exception to mental illness.</p> <p>CN people with a spiritual existence</p>	
6 (P)	OC_Initiation	Who can initiate outpatient commitment?	<p>Relative</p> <p>Friend</p> <p>Police officer</p> <p>Peace officer</p> <p>Parole/Probation officer</p> <p>Physician</p> <p>Physician assistant</p>	Who can initiate outpatient commitment	<p>Note: All initiators must be adults;</p> <p>“any institution” includes agency, treatment facility, charitable organization, hospital, community services, and licensed residential care center;</p> <p>For initiate, we code based on who petitions for commitment, not</p>	Categorical – Select All that Apply

			Registered nurse  Psychologist  Psychiatrist  Mental health professional  Medical directors  Attorney  Social worker  Government employee in the course of employment  Co-residents  Legal guardian  Spouse  Any interested person  Law does not state which		<p>who makes a determination about whether the person can be held short term.</p> <p>Facility administrators may be coded as a Director, please CN in this case.</p> <p>Code any interested person where law states explicitly or provides no language specifying that only certain people can initiate. If a jurisdiction defines any interested person, code based on definition.</p>	
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			individuals can initiate commitment			
7 (P)	OC_Medication	Can a patient refuse medication once in treatment?	Yes No	Right to refuse forced medication	<p>Coded “yes” in two situations:</p> <ol style="list-style-type: none"> <li>1) Right to refuse medication clearly indicated in the law</li> <li>2) A connection between medication being a part of treatment, and another statute (or the same statute) suggesting that patient must consent to overall treatment, or can refuse said treatment</li> </ol> <p>Code “no” if the law is silent or affirmatively indicates a patient cannot refuse medication (provide cite for the ladder)</p>	Categorical – Mutually Exclusive

8(C)	OC_MedicationExp	Are there exception to a patient's right to refuse medication?	<p>Yes, with a court order</p> <p>Yes, if deemed necessary by a physician</p> <p>Yes, with an administrative order</p> <p>No</p>	Exception to patient's right to refuse medication	<p>Code "no" if the law is silent or affirmatively indicates no exemptions (provide cite for the ladder)</p> <p>Please caution note if there is another reason for an exception</p>	Categorical – Mutually Exclusive
9 (P)	OC_noncompliance	Are there consequences for patients who fail to comply with treatment?	<p>Yes</p> <p>No</p>	Consequences for patients who fail to comply with treatment	<p>For are there consequences for noncompliance, we take a broad interpretation, where if any violation occurs, including dangerous behavior, and there are consequences, we code yes.</p> <p>However, if a police officer is taking a patient in to receive treatment, that does not qualify as a</p>	Binary

					consequence for noncompliance.	
10 (C)	OC_Noncomp_Options	What are the consequences if the patient fails to comply with treatment?	<p>Arrest</p> <p>Short-term hold</p> <p>Modification of treatment plan</p> <p>Return to treatment facility</p>	Types of consequences for noncompliance	<p>Code return to treatment facility only when:</p> <p>1) The law explicitly states return to treatment facility</p> <p>2) Noncompliance leads the patient to be taken to a treatment facility</p> <p>When just coding return to treatment facility also consider that:</p> <p>3) The patient is not taken to a more restrictive setting</p> <p>4 There is no indication that treatment is being modified.</p> <p>5) The patient is just being taken to a location to receive his current treatment.</p> <p>Short term hold is coded when the patient is temporarily taken to</p>	<p>Categorical – Check All that Apply</p>



					<p>a more restrictive setting</p> <p>Arrest is coded for arrest</p> <p>Modification of treatment” is coded when the medication is modified, different medication is administered to the patient in a specific situation, or when the patient is transferred from outpatient to inpatient.</p>	
11 (P)	OC_DurationMax	What is the initial duration of outpatient commitment?	<p>30 days</p> <p>45 days</p> <p>60 days</p> <p>90 days</p> <p>150 days 180 days</p> <p>365 days</p> <p>5 years</p> <p>Other</p>	Initial duration of outpatient commitment	<p>Code months in days for jurisdictions that identify months (i.e. 1 month = 30 days, 3 months = 90 days, etc.)</p> <p>CN and select “Other” for jurisdictions with duration requirements not currently listed among answer choices.</p>	Categorical – Mutually Exclusive
12(C)	OC_DurationMod	Can the duration be modified?	<p>Yes</p> <p>No</p>	Duration modification	Modification includes early release or extension of time	Binary

13(G)	OC_ModCond	What conditions can lead to a duration modification?	Physician evaluation Court order Prior convictions Prior commitment	Conditions for modification of duration		Categorical – Select All that Apply
14 (P)	OC_Discharge	Is a discharge plan required prior to discharge?	Yes No	Discharge plan		Binary
15 (P)	OC_FAPossession	Does outpatient commitment limit an individual's right to possess a firearm?	Yes No	Outpatient commitment limits an individual's right to possess a firearm	Only answer yes, where there is specific state law or the state law cites the federal prohibition explicitly.	Binary
16 (C)	OC_FARelief	Can firearm rights be restored?	Yes No	Firearm rights can be restored	Only answer yes, where there is specific state law on restoration or the state law cites the federal prohibition restoration law explicitly or the chapter at large that includes the prohibition and restoration rights.	Binary
17 (P)	OC_FAREporting	Does the state mandate	Yes No	NICS database reporting		Binary

		reporting of outpatient commitment history to the FBI for the NICS database?				
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**Key:**

P = Parent Question

C = Child Question. The question appearance is conditioned on the response to the parent question.

G = Grandchild Question. The question appearance is conditioned on the response to the child questions.

\*This field must be completed in order to save the question.

\*\*Optional.