

HEALTHEAST MEDICAL TRANSPORTATION
MEDICAL OPERATIONS MANUAL

CP 9.15 Voluntary and Involuntary Patient Transports

Title: Voluntary and Involuntary Patient Transport
Effective Date: April 1, 2015
Authorized By: Keith Wesley, MD Medical Director
Standard: Patient Care and Transport
Policy: Patients with mental illness and/or chemical dependency as well as those not competent to refuse care shall be transported in a manner prescribed by law or through other approved processes.

I. **Purpose**

This policy shall set forth standards for the transportation of patients, both voluntarily and involuntarily, in the event that there is reason to believe the patient is not competent to consent or is exhibiting symptoms of mental illness and/or chemical dependency.

II. **Definition**

- A. Minnesota Statute 253B: commonly known as the “Minnesota Commitment Act of 1982”, is the law that allows for a transport hold to be ordered by a licensed peace or health officer, for the transport of a patient to a medical facility in order to protect the patient or others from imminent harm. A competent person of legal age has the right to both refuse and consent to medical assessment, treatment, and transportation. However, if there is reason to believe that the patient is mentally ill, mentally retarded, chemically dependent or intoxicated and in imminent danger of injuring themselves or others if not immediately restrained, then a peace or health officer may take the patient into custody and order his/her transport to a medical facility for evaluation.
- B. Transport Hold: Term used to describe the form upon which is documented the findings of the peace or health officer to substantiate the need for emergency transport of the mentally ill or chemically dependent patient.
- C. Health Officer: A licensed physician, psychologist, social worker, or psychiatric or public health nurse, nurse practitioner, emergency department nurse, or a formally designated member of a pre-petition screening unit. NOTE: EMTs and paramedics are not considered health officers.
- D. Peace Officer: A sheriff, municipal or other local police officer, or state patrol officer when engaged in the authorized duties of their office.

III. **Procedure**

A. Voluntary Transport

- 1. A patient with mental illness or chemical dependency may be transported voluntarily under the following conditions:
 - a. Patient is instructed that once transport begins they will not be able to leave the ambulance until safely delivered to the hospital.
 - b. If law enforcement or hospital security is present, the patient agrees to be searched for weapons and/or contraband.
 - c. If law enforcement is not present, the patient agrees to relieve themselves of any

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weapons and/or contraband.

2. In the event that such a voluntary patient refuses to accept the conditions above, the HEMT providers will progress through the following options, in order, to determine the next appropriate action;
 - a. Contact a Peace or Health Officer to determine the suitability for placing the patient on a Transport Hold.
 - b. Contact Supervisor or Medical Director for advice.
 - c. Refuse request to transport the patient.
3. In the event that the voluntary patient agrees to the above listed conditions, the following steps must be taken prior to transport:
 - a. Buckle guards are secured to the chest, waist, and leg straps of the stretcher.
 - b. While not required it is recommend that the patient be placed in One Point Light restraint.
4. In the event that the patient attempts to leave the ambulance prior to hospital arrival the HEMT providers will;
 - a. Use reasonable force to protect themselves and the patient while utilizing an appropriate level of physical and/or chemical restraint necessary to safely secure the patient to the stretcher and transport the patient to the hospital. Such an attempt by the patient to elope or demonstrate violent behavior will be considered sufficient evidence that the patient is no longer competent and represents a clear and present danger to themselves and/or others.
 - b. Contact HEMT Communication Center to provide update and request law enforcement to respond and place patient under a Transport Hold.

B. Involuntary Transport

1. If, after assessment, the patient refuses treatment and transport and, in the judgment of the EMS provider, the patient requires further medical attention, but is incompetent and therefore incapable of giving informed consent or making an informed refusal, an emergency transport hold must be obtained by having either an on-scene peace or health officer authorize and sign the Emergency Transport Hold Form. The patient may then be transported against his/her will to an appropriate medical facility for further evaluation and treatment.
2. One copy of the form must be left with the patient run report form at the receiving hospital, one copy must remain attached to the original run report form, and one copy must be provided to the patient.
3. Involuntary transports require at a minimum the following physical restraints;
 - a. Buckle guards secured to the chest, waist, and leg straps of the stretcher.
 - b. One Point Light restraint (preferably the left arm).
4. In the event that the patient attempts to leave the ambulance prior to hospital arrival the HEMT providers will;
 - a. Use reasonable force to protect themselves and the patient while utilizing an appropriate level of physical and/or chemical restraint necessary to safely secure the patient to the stretcher and transport the patient to the hospital.

IV. Special Notes:

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- A. See Chemical and Physical Restraint policy for additional information regarding restraint use.
- B. A transport hold authorizes the transport of a patient to a medical facility for further evaluation only. It does not automatically commit the patient to a 72-hour hold.
- C. A transport hold is not necessary if the patient is under arrest and a peace officer is accompanying the patient in the ambulance.
- D. A transport hold may not be used to compel transport of any patient to a facility other than one designated for the evaluation and treatment of mental illness or chemical dependency. For example, a transport hold may not be used to compel transport to home, group home, skilled nursing facility, transitional care unit, etc.

Previous Versions: