


POLICY AND PROCEDURE

<u>POLICY TITLE:</u> EEU Red Flags Process	<u>POLICY #:</u> DSAMH033
<u>PREPARED BY:</u> Eligibility & Enrollment Unit	<u>DATE ISSUED:</u> 6/6/22
<u>RELATED POLICIES:</u> DSAMH031 EEU Involuntary Placement Process Policy DSAMH032 EEU Voluntary Placement Process Policy	<u>REFERENCE:</u> Delaware Commitment Laws: http://delcode.delaware.gov/title16/c051/sc02/index.shtml
<u>DATES REVIEWED:</u> 4/17/23	<u>DATES REVISED:</u> 3/8/23
<u>APPROVED BY:</u>  <p>DocuSigned by: Joanna Champney 1B71C05196B24CA...</p> <p>4/24/2023 10:47 AM PDT</p>	<u>NOTES:</u> <input type="checkbox"/> DSAMH Internal Policy <input type="checkbox"/> DSAMH Operated Program <input type="checkbox"/> DSAMH State Providers <input type="checkbox"/> Delaware Psychiatric Center <input checked="" type="checkbox"/> Targeted Use Policy (Defined in scope)

I. **PURPOSE:**

The purpose of this policy is to provide guidance on the Red Flag process.

II. **POLICY STATEMENT:**

It is the policy of DSAMH's Eligibility and Enrollment Unit (EEU) to ensure that all individuals issued a Red Flag by the Delaware Judiciary are treated according to Delaware law. The EEU supports community education on this process and promotes timely resolution of administrative holds.

III. **DEFINITIONS:**

"Delaware resident" means either:

1. An individual who is domiciled in Delaware for any part of the tax year or maintains an abode in Delaware and spends more than 183 days in the State.
2. A person who possesses a valid Delaware-issued identification card such as driver's license or non-driver identification card.

"DTRN" means the Delaware Treatment and Referral Network.

"EEU" means the DSAMH Eligibility and Enrollment Unit.

"Red Flag" (formerly known as Capias) means an order to bring a person before the Court has been issued when a person has failed to appear in Court as required or has violated a condition of probation or a condition of release.

IV. **SCOPE:**

The policy covers all court-ordered issuances of inpatient psychiatric treatment due to Red Flags.

V. **PROCEDURES/RESPONSIBILITIES:**

- A. Red Flags are issued by the Courts and processed by law enforcement.
- B. The Red Flags are not received via the Delaware Treatment and Referral Network (DTRN) but will come as a phone call from a member of law enforcement to the nearest IMD or the EEU Hospital Placement Team.
- C. EEU is notified of the Red Flag when the officer calls. Law enforcement will provide:
 - 1. Officer's name,
 - 2. Officer's phone number,
 - 3. Which law enforcement department the officer is affiliated with,
 - 4. Officer's current location,
 - 5. Client's name, and
 - 6. Client's date of birth.
- D. Their location will determine which facility the EEU will contact first to refer the client for placement.
- E. No referral packet will be provided to the receiving facility.
- F. Law enforcement will provide a copy of the Red Flag court order to the receiving facility and the EEU.

VI. **POLICY LIFESPAN:** Annual review by Policy Committee.

VII. **RESOURCES:** N/A