

Joint Commission on Health Care
Behavioral Health Subcommittee
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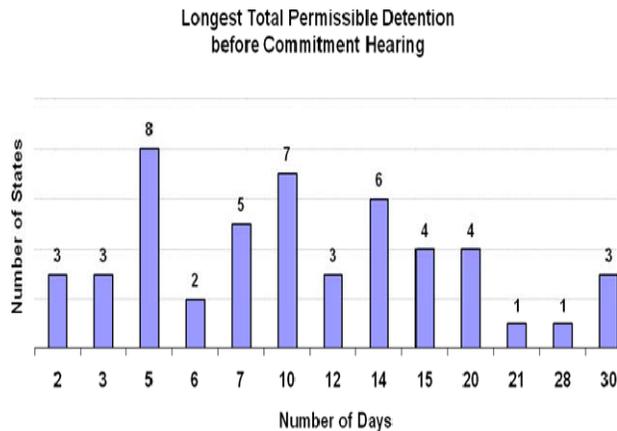
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Increase Maximum Period of TDO to
72 hours rather than 48

- Virginia's 48-hour requirement is shortest in country
- Mid-range is 7-10 days

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Permissible Period of Hospitalization before Hearing in 50 States (2008)



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Advantages of Increasing TDO period

- To provide more time for thorough evaluation
- To provide more time for the person's condition to stabilize, thereby
 - increasing likelihood of discharge to outpatient treatment (dismissal of petition or MOT)
 - increasing likelihood that any subsequent hospitalization will be voluntary
 - and decreasing length of post-commitment hospitalization

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Lengthening TDO Period has been recommended by

- Virginia Tech Review Committee (2007)
- Office of Inspector General (2007)
- Commission on Mental Health Law Reform (2007)
- Only question was how much to lengthen the TDO period – Should it be 3, 4, or 5 days?
- Questions to study: What would be effect on hearing outcomes? On costs?

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Fiscal Impact?

- How will increase in maximum TDO period affect actual hearing practices
- Will anticipated increase in number of dismissals and in post-commitment length of stay offset expected increase in TDO days?

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“Length of TDO” Study

- Study was conducted with assistance of DMAS and Supreme Court, taking advantage of natural variation in TDO length based on differences in local practice and occurrence of weekends and holidays
- Recently published in *Psychiatric Services*

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Data

- Cases in Virginia Supreme Court’s Court Management System (CMS) database were matched to Medicaid claims files
- July 1, 2008-March 31, 2009
- 500 cases that appear to be representative of the population hospitalized under TDOs

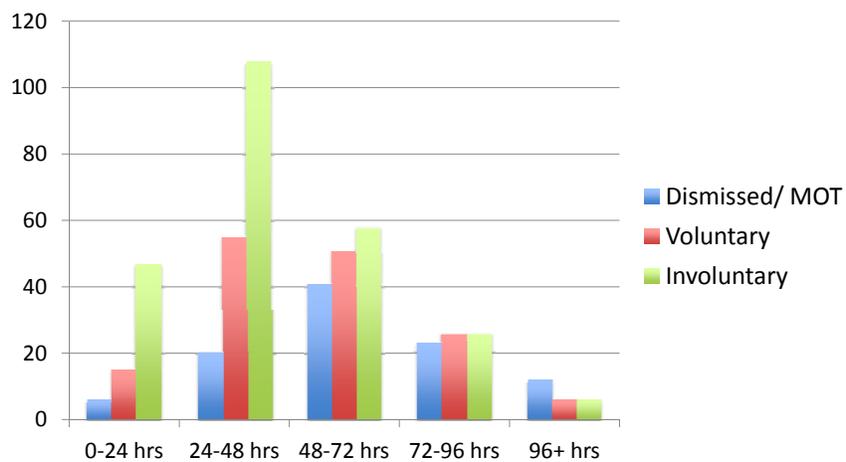
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500 Medicaid recipients

<u>Variable</u>	<u>N</u>	<u>%</u>
Race		
White	356	71
Black	130	26
Other	14	3
Age (M±SD)	39.7±13.6	
Sex		
Male	188	38
Female	312	62
Serious mental illness		
Schizophrenic disorder	155	31
Affective psychosis	232	46

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As expected, longer TDOs are correlated with more dismissals and fewer involuntary commitments



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Longer TDOs are correlated with a lower probability of post-TDO hospitalization

TDO Days	Probability of any hospitalization	Probability of involuntary hospitalization
<1	.93	.73
1	.89	.66
2	.84	.59
3	.76	.51
4	.66	.43

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Among those hospitalized, longer TDOs are correlated with shorter post-TDO hospital stays

Increase in TDO length	Corresponding reduction in post-TDO hospitalization
<24 hours to 1 day	1.33 fewer hospital days
<24 hours to 2 day	1.25 fewer hospital days
<24 hours to 3 day	2.22 fewer hospital days

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Effect of Lengthening TDO Period to 72 Days in FY 2010

- Assume all hearings were held after 72 hours. Expected increase in TDO days: 26,288 days
- Expected reduction in post-hearing hospitalization days (due to fewer hospitalizations as well as reduced length of post-hearing hospitalization): 24,506 days
- Net number of additional hospital days that would have occurred in FY 2010 if 72-hour TDO had been in effect in all localities: 1782 days
- Net number of these additional days that would have been paid by Involuntary Commitment Fund: 873 days

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Legislative Consideration

- Increase in TDO period for minors to 96 hours was adopted in 2010
- Bill to raise maximum TDO period for adults to 72 hours was introduced in 2010 but eventually withdrawn due to concern about fiscal impact
- It is now time to adopt this important reform

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