

Siskiyou County Behavioral Health

Assisted Outpatient Treatment Frequently Asked Questions

The Siskiyou County Assisted Outpatient Treatment (AOT) program is expected to be fully implemented in September 2021. For questions related to the program before the implementation date please contact the Project Coordinator at 530-841-4160.

What is Assisted Outpatient Treatment?

Assisted Outpatient Treatment (AOT) is intensive court-ordered treatment in the community for adults with severe mental illness who are not currently engaged in treatment. The treatment mechanism is only used until a person is well enough to maintain their treatment regimen. The goal of AOT is to stop the “revolving door” of repeated hospitalizations, arrests or incarcerations, and homelessness.

AOT is guided by AB 1976 and has strict criteria for who qualifies for involuntary AOT services and how long those services can last.

Who can file a petition?

Only the county mental health director, or his or her designee, may file a petition with the superior court in the county where the person is present or reasonably believed to be present. The following persons, however, may request that the county health department investigate whether to file a petition for the treatment of an individual:

- Any adult with whom the person resides;
- An adult parent, spouse, sibling, or child of the person;
- the director of a hospital in which the person resides;
- The director of a program providing mental health services to the person and in whose institution the person resides;
- A treating provider or supervising licensed mental health treatment provider;
- a judge of a superior court; or
- a peace officer, parole officer, or probation officer assigned to supervise the person

What happens when someone is referred for AOT?

On receiving a request from a person in one of the classes above, the county mental health director is required to conduct an investigation. The director, however, shall only file a petition if he or she determines that it is likely that all the necessary elements for an AOT petition can be proven by clear and convincing evidence.

The eligibility criteria that must be met before a petition can be filed includes:

1. Be 18+;

2. Be suffering from a mental illness;
 3. Be unlikely to survive safely in the community without supervision, based on a clinical determination;
 4. Have a history of non-compliance with treatment that has either:
 - A. Been a significant factor in his or her being in a hospital, prison, or jail at least twice within the last 36 months*; or
 - B. Resulted in one or more acts, attempts, or threats of serious violent behavior toward self or other within the last 48 months*;
- *Any time spent in a hospital or jail immediately before the filing of the petition does not count towards either the 36 or 48-month time limits above.*
5. Have been offered an opportunity to voluntarily participate in a treatment plan by the local mental health department but continues to fail to engage in treatment;
 6. Be substantially deteriorating;
 7. Be, in view of his or her treatment history and current behavior, in need of AOT to prevent a relapse or deterioration that would likely result in the person meeting California's inpatient commitment standard, which is being:
 - A. A serious risk of harm to himself/herself, or others; or
 - B. Gravely disabled (in immediate physical danger because they are unable to meet basic needs for food, clothing, or shelter;
 8. Be likely to benefit from assisted outpatient treatment; and
 9. Participation in the assisted outpatient program is the least restrictive placement necessary to ensure the person's recovery and stability.

What if the criteria are met in the investigation?

The court must schedule a hearing that is no more than five business days after the petition is filed. Continuances will only be allowed for a good cause.

The client has the right to be represented by counsel at all stages of an AOT court proceeding. If the person elects, the court shall immediately appoint a public defender or another attorney to oppose the petition.

The court will hear testimony and, if advisable, examine the person (in or out of court). The testimony need not be limited to the facts included in the petition. If the person fails to appear at the hearing the court may conduct the hearing in the person's absence.

If after hearing all relevant evidence, the court finds that the person does not meet the criteria for assisted outpatient treatment, the court will dismiss the petition.

If the court finds, by clear and convincing evidence, that the person meets the criteria for AOT and there is no appropriate and feasible less restrictive alternative, the court may order the person to receive assisted outpatient treatment for up to six months.

Siskiyou County Behavioral Health (SCBH) provides evidence-based treatment and supportive services while an individual is in on AOT. SCBH provides treatment updates

to the court as requested and evaluates each AOT participant at the end of the commitment period to determine whether it is appropriate to seek renewal of the petition or allow the participant to transition to voluntary care.

What if the AOT participant refuses to engage in treatment?

The Siskiyou County AOT program does not force medications. If an AOT participant refuses to engage in mental health or medication treatment, SCBH will ask law enforcement for assistance in getting the participant to a local hospital where they can be evaluated for 5150 criteria. If the criteria are met, the participant will receive inpatient psychiatric hospitalization support for stabilization. If the criteria are not met, a safety plan will be developed to help the participant stay safe within the community.

How Can I help a family member or friend that needs AOT?

To help a friend or family member who needs AOT, you can fill out the Family Contribution Form that is available on the Siskiyou County Behavioral Health website. This form is utilized during the investigation process, it is reviewed by county counsel, and ultimately is submitted to the Court along with the AOT Petition. This is a helpful way of providing the AOT team with relevant and important information. Please note, without a release of information signed by the AOT candidate, SCBH is unable to discuss any client details with you. We know that this can be frustrating, but SCBH is legally bound to protect this information.

I have an AOT referral, how do I submit it?

If needed, SCBH can schedule a consultation call with you before you submit the referral. To schedule a call, contact the SCBH Project Coordinator at 530-874-4160.

Referral forms and family contribution forms are available at www.co.siskiyou.ca.us/behavioralhealth/page/assisted-outpatient-treatment.

All completed forms can be faxed to SCBH Access at 530-841-4702.