



RICHARD FIGUEROA  
ACTING DIRECTOR

State of California—Health and Human Services Agency  
Department of Health Care Services



GAVIN NEWSOM  
GOVERNOR

DATE: February 4, 2020

Behavioral Health Information Notice No: 20-004

TO: California Alliance of Child and Family Services  
California Association for Alcohol/Drug Educators  
California Association of Alcohol & Drug Program Executives, Inc.  
California Association of DUI Treatment Programs  
California Association of Health Facilities  
California Association of Highway Patrolmen  
California Association of Public Hospitals  
California Children's Hospital Association  
California Consortium of Addiction Programs and Professionals  
California Council of Community Behavioral Health Agencies  
California Hospital Association  
California Opioid Maintenance Providers  
California Peace Officers' Association  
California Police Chiefs' Association  
California State Association of Counties  
California State Sheriff's Association  
California Statewide Law Enforcement Association  
Coalition of Alcohol and Drug Associations  
County Behavioral Health Directors  
County Behavioral Health Directors Association of California  
County Drug & Alcohol Administrators  
Disability Rights California  
Hospital Association of Southern California  
Northern California Peace Officer Association  
Private Essential Access Community Hospitals  
State Park Peace Officers Association of California

SUBJECT: Updates to optional forms relevant to involuntary treatment: DHCS 1801, 1802, 1808, and 1809.

PURPOSE: The purpose of the Information Notice is to provide updated forms related to involuntary treatment under the Lanterman-Petris Short (LPS) Act. Please note that these forms are for optional use. Providers may instead develop their own forms. Providers may also incorporate these enclosed forms into an electronic health records system. Providers are also not

prohibited from modifying or adapting the updated forms. The California Department of Health Care Services (DHCS) recommends that providers consult with their legal counsel to ensure compliance with all applicable laws related to involuntary treatment under the LPS Act.

REFERENCE: [MHSUDS Information Notice No.: 14-004](#)

**BACKGROUND:**

Assembly Bill (AB)1194 (Eggman, Chapter 570, Statutes of 2015) stipulates that the application under 5150 of the Welfare and Institutions (W&I) Code must indicate whether the historical course of a person's mental disorder was considered in the determination of whether to take the person into custody.

AB 2099 (Gloria, Chapter 258, Statutes of 2018) specifies that a copy of the application under 5150 of the W&I Code shall be treated as the original.

**POLICY:**

As a result of the amendments to Section 5150 of the W&I Code, the Department has made updates to its optional use form, DHCS 1801 (MH 302), *APPLICATION FOR UP TO 72-HOUR ASSESSMENT, EVALUATION, AND CRISIS INTERVENTION OR PLACEMENT FOR EVALUATION AND TREATMENT*. In addition, DHCS has updated other forms relevant to involuntary treatment. Providers may modify or adapt the updated form as long as all necessary information is included to meet the legal requirements.

DHCS recommends that providers review the amended W&I Code sections to ensure compliance and note following important changes:

**DHCS FORM 1801:**

DHCS has made substantial updates to the form. The goal was to make the form more user-friendly and to accommodate statutory changes. AB 1194<sup>1</sup> requires that the application under 5150 of the W&I Code indicate whether the historical course of a person's mental disorder was considered in determining whether to take the person into custody. As such, DHCS has updated Form 1801 to give space for this information to be recorded.

AB 2099<sup>2</sup> clarified that a copy of the application under 5150 of the W&I Code shall be treated the same as the original. DHCS therefore made this clear on the form as well.

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<sup>1</sup> Chaptered legislation available at the following link: [http://leginfo.ca.gov/pub/15-16/bill/asm/ab\\_1151-1200/ab\\_1194\\_bill\\_20151007\\_chaptered.pdf](http://leginfo.ca.gov/pub/15-16/bill/asm/ab_1151-1200/ab_1194_bill_20151007_chaptered.pdf)

<sup>2</sup> Chaptered legislation available at the following link: [https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill\\_id=201720180AB2099](https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201720180AB2099)

DHCS made other edits to the form to accommodate more writing space and incorporated changes requested by stakeholders who submitted comments.

**DHCS FORM 1802:**

DHCS made technical, non-substantive changes to the form to correct statutory references and incorporate the commenters' suggestions, which helped to improve the clarity and utility of the form.

**DHCS FORM 1808:**

DHCS modified the heading of the form to align with statutory language and integrated commenters' suggestions to improve the utility of the form.

**DHCS FORM 1809:**

DHCS made non-substantive changes by updating the heading of the form to be consistent with the statutory language and by providing sufficient space on the form to accommodate narrative descriptions of necessary information.

Forms related to involuntary treatment under the LPS Act are available at the following link: [https://www.dhcs.ca.gov/formsandpubs/forms/Pages/Mental\\_Health-Forms.aspx](https://www.dhcs.ca.gov/formsandpubs/forms/Pages/Mental_Health-Forms.aspx)

If you have any questions regarding this Information Notice, please contact the Mental Health Licensing Section at (916) 323-1864.

Sincerely,

Original signed by

Janelle Ito-Orille, Chief  
Licensing and Certification Division