

# The Columbus Dispatch

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## Ohio judges now can order mentally ill into treatment

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By **Danielle Keeton-Olsen**

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55

9

116

Family members responsible for those with severe mental illnesses now have a clearer option for getting care to patients who might need it the most.

Starting yesterday, judges have the ability to order those with mental illness to outpatient care, even if the person opposes.

The change, which clarifies what orders judges are able to give the mentally ill, should benefit the “sickest of the sick” by getting them the care they need, said Terry Russell, executive director for the Ohio National Association for Mental Illness.

Most of the mentally ill patients targeted by this law have been subject to emergency hospitalization or frequently end up in front of judges for violence or behavioral issues.

“These are people who are already known to the system, they’re constantly coming to the system anyway,” said Betsy Johnson, associate executive director for NAMI.

Family members can submit an affidavit, for a \$25 fee, asking a judge to order their loved one to get outpatient treatment. Patients who refuse the treatment can be summoned to a hearing to face more-restrictive care.

NAMI has prepared guides and training to explain the extent of the law to families of the mentally ill, as well as to advocates and judges.

The Ohio Judicial College has implemented a training program on the law, but many judges have followed a similar procedure in their past rulings on mentally ill individuals, Johnson said.

Disability Rights Ohio, which originally criticized the legislation for not providing enough due-process protection, joined NAMI in creating a guidebook for judges and advocates on accurately identifying those who need outpatient care.

“I think they realized the intent of the bill was for the best of clients, not something that was taking rights away from everyone,” Russell said.

The law does not provide for additional funding to accommodate increased outpatient care or other mental-health services, which concerns Hubert Wirtz, CEO of the Ohio Council of Behavioral Health and Family Services Providers.

Wirtz cited New York legislation as an example, which provided grants to hospitals and correctional facilities to ensure continuous supplies of medication to patients who need it.

The organization, however, supports the intention of the bill and will assist in training judges and families on the subject.

“(Training judges) is a critical part because they’re a critical part of how people will get services,” Wirtz said.

The law fixes what was “broken” with the original law, Russell said, but only addresses a small portion of problems with Ohio’s mental-health agencies, which do not have adequate space, funding or resources to care for all those who need help.

“There’s more people needing care that can get it now,” Russell said. “This doesn’t solve the problem of the mental-health system. It’s just a few individuals that need outpatient treatment.”

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