

# ***VERMONT2012***

*Transportation of Individuals in the Custody of  
the Commissioner of Mental Health*

**Report to the Legislature on Act 180 2006 (ADJ) Session**

**Section 3 - 18 V.S.A. § 7511**

**January 15, 2012**

**Vermont Department of Mental Health**

**AGENCY OF HUMAN SERVICES**

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## **Policy Summary**

It is the policy of the State of Vermont that all reasonable and appropriate measures consistent with public safety are made to transport or escort a person subject to this chapter to and from any inpatient setting, including escorts within a designated hospital or the Vermont state hospital, or otherwise being transported under the jurisdiction of the Commissioner of Mental Health. Act 180 of 2006 (Adjourned Session) formalized this policy. It specifies that individuals in the custody of the Commissioner be transported in a manner that,

- (1) prevents physical and psychological trauma;
- (2) respects the privacy of the individual; and
- (3) represents the least restrictive means necessary for the safety of the patient.

The statute [18 V.S.A. § 7511] authorizes the Commissioner to designate the professionals who may authorize the method of transport of patients in her/his care and custody. Specifically, when such professional decides that an individual is in need of secure transport with mechanical restraints, the reasons for such determination shall be documented in writing. Mechanical restraints are not to be routinely used unless circumstances dictate that such methods are necessary.

The Department of Mental Health collects, compiles, and analyzes data on the transportation of youth and adults in the custody of the Commissioner. The data includes the number, method, and location of all adult and child transports.

This report provides lawmakers with the information compiled for 2011 and also offers a five year overview to help asses progress in meeting the state policy objectives of Act 180.

The Commissioner of the Department of Mental Health is required to report to the House Committee on Human Services and the Senate Committee on Health and Welfare data for the preceding year regarding the transportation of persons in accordance with 18 V.S.A. § 7511.

## **Introduction**

This report for 2011 marks the fifth year of data collection and reporting by the Department of Mental Health on youth and adult involuntary transports. Attachments A through D provide data and analysis during the 5-year period December 2006 through November 2011 for youth and adult involuntary transport. In addition, recent data from the past year is presented.

Noteworthy during this reporting period is the severe flooding as a result of Tropical Storm Irene in late August of 2011. The scope of the storm was enormous and it encompassed almost the entire state. A large part of State government operations was disrupted, including the operation of the Vermont State Hospital (VSH). Off-line since August 28, 2011, the state hospital has since been closed. Adult psychiatric inpatient admissions that formerly, pre-Irene, would have been admitted to the VSH are now admitted to Designated Hospitals and other facilities around the state. The next reporting period on involuntary transport will include an impact analysis of how the dispersal of facilities in use during this unique set of circumstances affected transportation of individuals in the custody of the Commissioner of Mental Health.

## Youth Transports

Transporting children by uniformed sheriff's services occurs only when an Emergency Exam necessitates the secure transport of a child to the Brattleboro Retreat. Most children go to the Retreat voluntarily. Secure transport of youth is used only after a checklist of things are considered and a determination is made that the person presents a risk of harm to self or others and no less restrictive alternative is available. The checklist identifies recently reported and observed behaviors that are determinant factors for the mode of transportation to be used.

In working toward the elimination of sheriff's transport for children under age ten, secure transport requires approval of the Commissioner of the Department of Mental Health. Designated Agencies in the system of care have developed ways to transport children, using families, escorts, ambulances, or any other transport short of law enforcement personnel.

The total number of transports in the 10 and under age group decreased from 22 children transported in 2010 to 9 children in that age group transported in 2011. The 10 and under age group had the highest percentage of non-secure transport of any age group in 2011 – 56%. In 2010's report, the youngest child transported involuntarily was 5 years old. In 2011's report, the youngest child transported on an involuntary basis was 7 years old.

This year, HowardCenter had the highest percentage of non-secure transports at 71%, and highest number, 24, of total transports while Rutland Mental Health Services, Clara Martin Center, and United Counseling Services did not have any non-secure transports of children in 2011.

Overall, fewer children were transported in 2011 than in 2010. There were 96 instances of transport of children in 2010 compared with 80 in 2011. For secure transport, the percentage increased from 53% in 2010 to 62% in 2011.

The Department of Mental Health adheres to the policy that mechanical restraints will not be used as a matter of course for transport of individuals on involuntary status. The data collected indicates that progress has been made to effectively implement this policy in the transport of children on involuntary legal status. Of the youth who were transported in 2010, 30% were not restrained during transport. In 2011, 50% of all youth requiring transport were not restrained.

## **Adult Transports**

Title 18 of the statute referenced above states that people will be transported in a way that is the least restrictive and prevents physical and psychological trauma. In 2009, the DMH introduced an alternative to metal restraints in the form of cloth restraints, which were distributed statewide for sheriff's departments to use. These cloth restraints were purchased in order to be used in lieu of hard plastic restraints (polyurethane).

The use of metal restraints has remained static. They were used for involuntary transport of adults 59% of the time in 2010 and 58% of the time in 2011. The use of cloth restraints declined from 29% in 2010 to 21% in 2011. Transports where no restraints were used increased from 13% to 20% in the same reporting period.

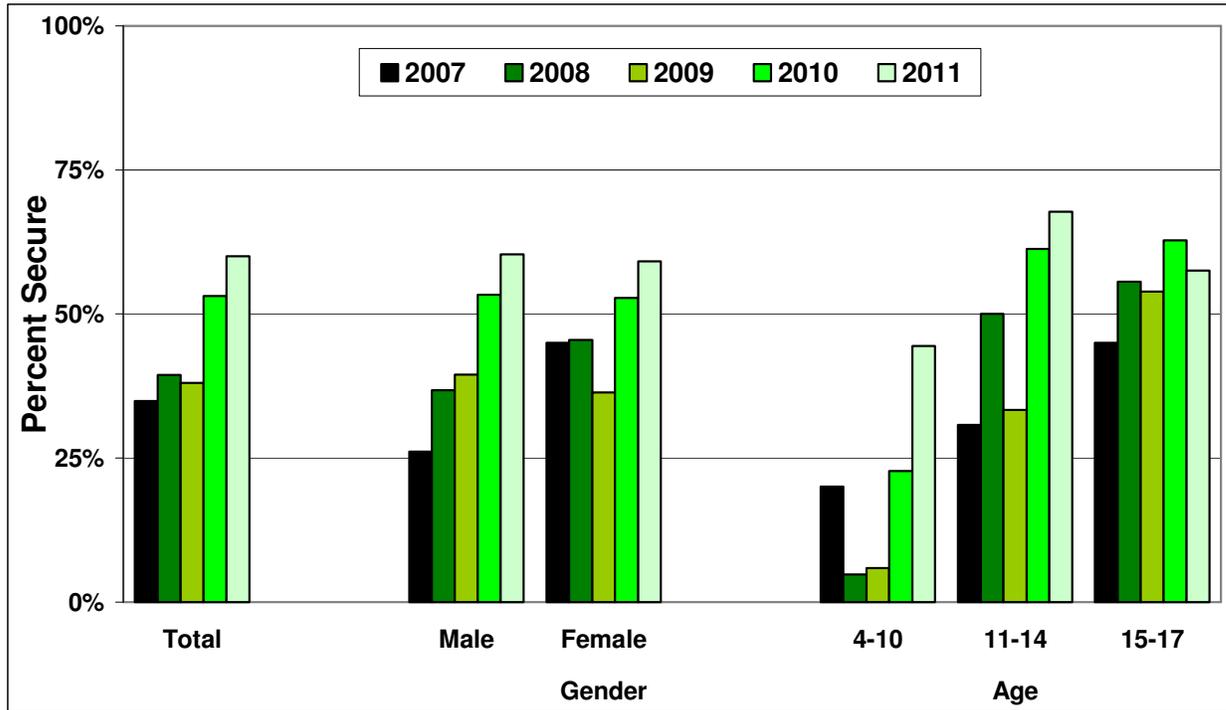
HowardCenter and Washington County Mental Health are the two Designated Agencies (DA) that received grants from the DMH to provide alternative transports to adults on involuntary legal status.

This year saw an 11% downturn in overall adult transports. It is not clear if this can be attributed to the abrupt closing of the Vermont State Hospital but the down turn is noteworthy in and of itself.

Last year's report said that the Department would offer additional information to better identify incremental changes in practice patterns in the field. With respect to the post-Irene world that the public mental health system finds itself in, this year's report attempts to incorporate changes proposed in last year's report around secured transport. In this year's report secured transport is defined by those transports utilizing metallic or cloth restraints. Transport by sheriff or ambulance escort with sheriff, is an additional gradation of transport accompaniment to capture incremental practice changes.

The frequency of the use of Mental Health Alternative transport remains fairly static from year to year. The establishment of this service is consistent with intent of the legislature to offer an alternative to adults who are assessed to be capable and willing to accept a less restrictive mode of transportation while on involuntary legal status. Two percent of all involuntary transports utilized the Mental Health Alternative method in 2010 and 2011.

**Vermont Department of Mental Health  
YOUTH INVOLUNTARY TRANSPORTATION  
Five Year Overview (December 2006 - November 2011)  
by Age and Gender**



**Youth Involuntary Transports**

	<u>DEC06-NOV07</u>			<u>DEC07-NOV08</u>			<u>DEC08-NOV09</u>			<u>DEC09-NOV10</u>			<u>DEC10-NOV11</u>		
	<u>Total</u>	<u>Secure</u>		<u>Total</u>	<u>Secure</u>		<u>Total</u>	<u>Secure</u>		<u>Total</u>	<u>Secure</u>		<u>Total</u>	<u>Secure</u>	
	#	#	%	#	#	%	#	#	%	#	#	%	#	#	%
<b>Overall</b>	43	15	35%	71	28	39%	71	27	38%	96	51	53%	79	46	58%
<b>Gender</b>															
Male	23	6	26%	49	18	37%	38	15	39%	60	32	53%	57	33	58%
Female	20	9	45%	22	10	45%	33	12	36%	36	19	53%	22	13	59%
<b>Age</b>															
4-10	10	2	20%	21	1	5%	17	1	6%	22	5	23%	9	4	44%
11-14	13	4	31%	14	7	50%	15	5	33%	31	19	61%	31	20	65%
15-17	20	9	45%	36	20	56%	39	21	54%	43	27	63%	39	22	56%

Analysis conducted by the Vermont Performance Indicator Project (PIP).  
Based on the Youth Involuntary Transportation Data Set maintained by the VT Department of Mental Health.  
Date of Report: 1/17/12

Act 180 - Transportation of Individuals in the Custody of the Commissioner of Mental Health  
Attachment – B

**Vermont Department of Mental Health**  
**YOUTH INVOLUNTARY TRANSPORTATION**  
**One Year Overview (December 2010 - November 2011)**  
**(79 Transports of 78 Children)**

	<u>Total Transports</u> #	<u>Type of Transport</u>			
		<u>Secure</u>		<u>Non-Secure</u>	
		#	%	#	%
<b>Total</b>	<b>79</b>	<b>46</b>	<b>58%</b>	<b>33</b>	<b>42%</b>
<b><u>Gender</u></b>					
Male	57	33	58%	24	42%
Female	22	13	59%	9	41%
<b><u>Age</u></b>					
7-10	9	4	44%	5	56%
11-14	31	20	65%	11	35%
15-17	39	22	56%	17	44%
<b><u>Type of Transport Decided by:</u></b>					
<b>Designated Agency</b>	<b>78</b>	<b>45</b>	<b>58%</b>	<b>33</b>	<b>42%</b>
HC - (Chittenden)	24	7	29%	17	71%
RMHS - (Rutland)	18	18	100%	0	0%
HCRS - (Southeast)	11	6	55%	5	45%
WCMH - (Washington)	9	6	67%	3	33%
NCSS - (Northwest)	7	4	57%	3	43%
LCC - (Lamoille)	6	3	50%	3	50%
CMC - (Orange)	1	1	100%	0	0%
NKHS - (Northeast)	1	0	0%	1	100%
UCS - (Bennington)	1	0	0%	1	100%
<b>Hospital</b>	<b>1</b>	<b>1</b>	<b>100%</b>	<b>0</b>	<b>0%</b>
NWMC - (Northwestern)	1	1	100%	0	0%
<b><u>Transport From:</u></b>					
Hospital	73	42	58%	31	42%
Criminal Justice	3	3	100%	0	0%
Designated Agency	1	0	0%	1	100%
Other	2	1	50%	1	50%
<b><u>Transport To:</u></b>					
BrattleboroRetreat	79	46	58%	33	42%

**Number of Involuntary Transports per Client:**

*(Transports during December 2010 through November 2011)*

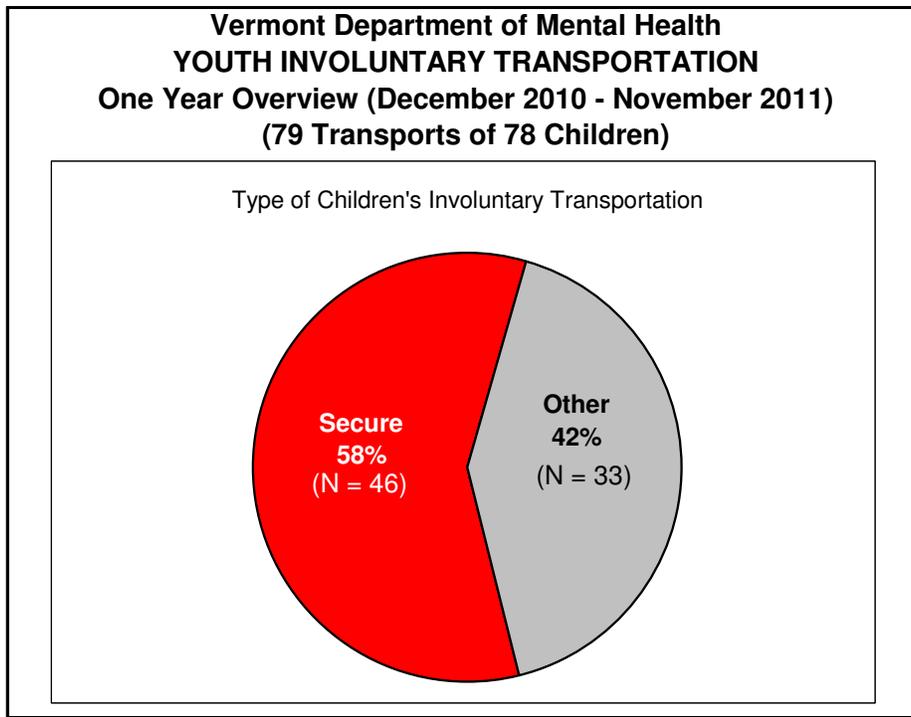
Number of Transports	Number of Clients
1 Transport	77
2 Transports	1
<b>TOTAL CLIENTS</b>	<b>78</b>

Analysis conducted by the Vermont Performance Indicator Project (PIP). Based on the Youth Involuntary Transportation Data Set maintained by the VT Department of Mental Health.  
Date of Report: 1/17/2012

**Vermont Department of Mental Health  
YOUTH INVOLUNTARY TRANSPORTATION  
Type of Secure Transport Restraint  
46 Secure Transports during December 2010 - November 2011**

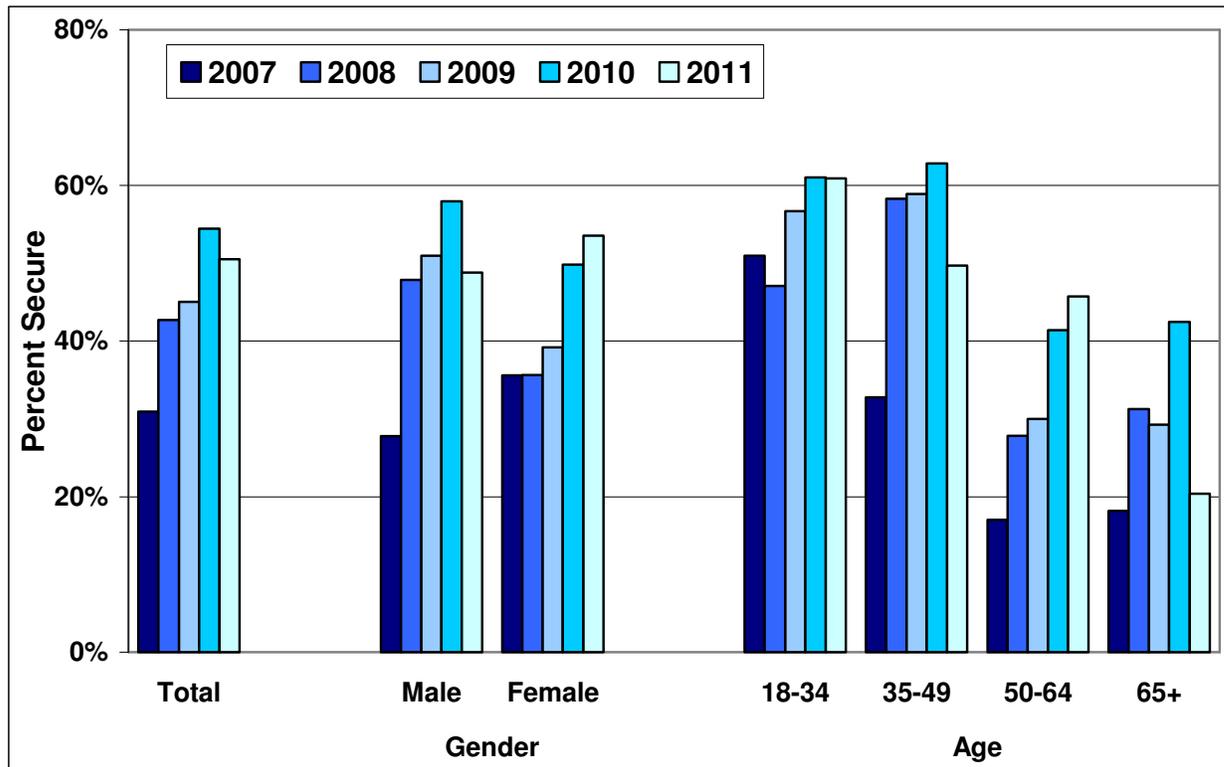
Total Secure Transports	46
Data Available	46
Type of Restraint	
Metal	22
Cloth	9
None	15

Analysis conducted by the Vermont Performance Indicator Project (PIP). Based on the Youth Involuntary Transportation Data Set maintained by the VT Department of Mental Health.  
Date of Report: 1/17/12



Analysis conducted by the Vermont Performance Indicator Project (PIP). Based on the Youth Involuntary Transportation Data Set maintained by the VT Department of Mental Health.  
Date of Report: 1/17/12

**Vermont Department of Mental Health  
ADULT INVOLUNTARY TRANSPORTATION  
Five Year Overview (December 2006 - November 2011)  
by Age and Gender**

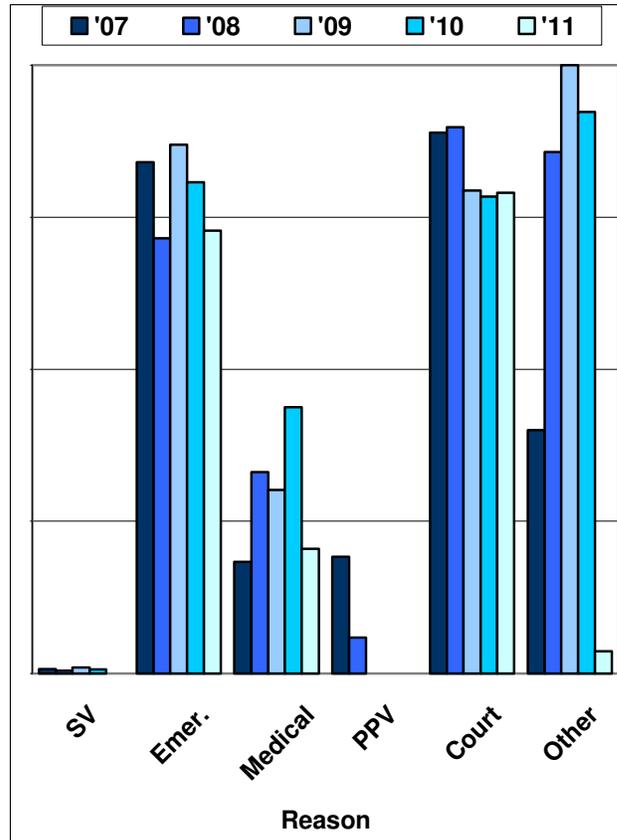
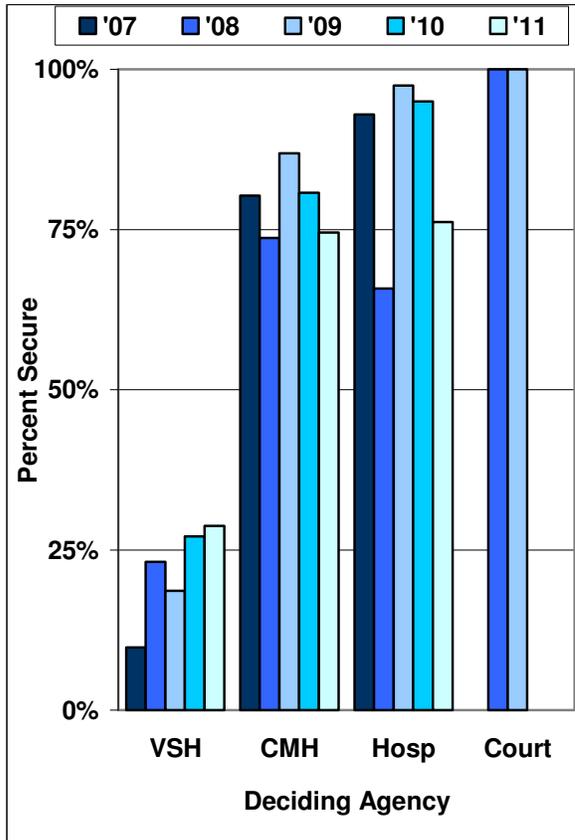


**Adult Involuntary Transports**

	<u>DEC06-NOV07</u>			<u>DEC07-NOV08</u>			<u>DEC08-NOV09</u>			<u>DEC09-NOV10</u>			<u>DEC10-NOV11</u>		
	<u>Total</u>	<u>Secure</u>		<u>Total</u>	<u>Secure</u>		<u>Total</u>	<u>Secure</u>		<u>Total</u>	<u>Secure</u>		<u>Total</u>	<u>Secure</u>	
	#	#	%	#	#	%	#	#	%	#	#	%	#	#	%
<b>Overall</b>	918	284	<b>31%</b>	691	295	<b>43%</b>	837	377	<b>45%</b>	621	338	<b>54%</b>	582	363	<b>51%</b>
<b>Gender</b>															
Male	544	151	<b>28%</b>	399	191	<b>48%</b>	416	212	<b>51%</b>	352	204	<b>58%</b>	371	227	<b>49%</b>
Female	374	133	<b>36%</b>	292	104	<b>36%</b>	421	165	<b>39%</b>	269	134	<b>50%</b>	211	136	<b>54%</b>
<b>Age</b>															
18-34	214	109	<b>51%</b>	257	121	<b>47%</b>	321	182	<b>57%</b>	241	147	<b>61%</b>	230	165	<b>61%</b>
35-49	348	114	<b>33%</b>	170	99	<b>58%</b>	141	83	<b>59%</b>	156	98	<b>63%</b>	169	105	<b>50%</b>
50-64	323	55	<b>17%</b>	216	60	<b>28%</b>	310	93	<b>30%</b>	191	79	<b>41%</b>	129	76	<b>46%</b>
65+	33	6	<b>18%</b>	48	15	<b>31%</b>	65	19	<b>29%</b>	33	14	<b>42%</b>	54	17	<b>20%</b>

Analysis conducted by the Vermont Performance Indicator Project (PIP).  
Based on the Adult Involuntary Transportation Data Set maintained by the VT Department of Mental Health.  
Date of Report: 1/17/12

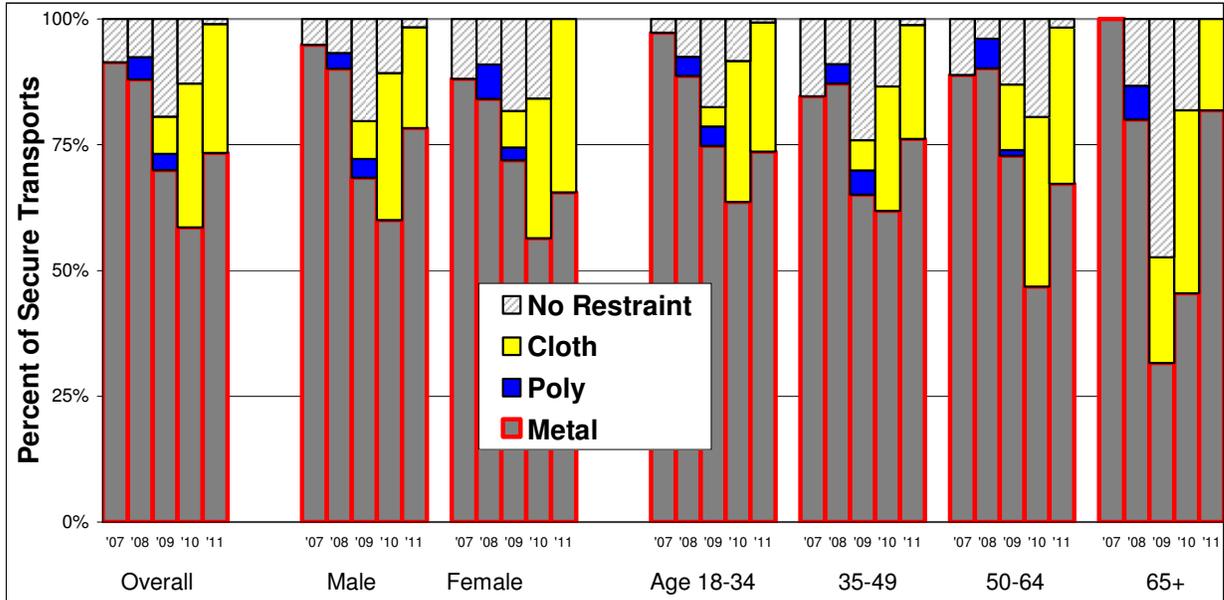
**Vermont Department of Mental Health  
ADULT INVOLUNTARY TRANSPORTATION  
by Deciding Agency and Reason, December 2006 - November 2011**



	<u>DEC06-NOV07</u>		<u>DEC07-NOV08</u>		<u>DEC08-NOV09</u>		<u>DEC09-NOV10</u>		<u>DEC10-NOV11</u>	
	#	%Secure								
<b>Deciding Agency</b>										
VSH	653	10%	419	23%	520	19%	310	27%	306	29%
CMHC	208	80%	232	74%	275	87%	291	81%	255	75%
General Hospital	57	93%	38	66%	40	98%	20	95%	21	76%
Court	0	-	2	100%	2	100%	0	-	0	-
<b>Reason</b>										
Short Visit	411	1%	208	0%	314	1%	149	1%	0	-
Emergency	238	84%	260	72%	305	87%	301	81%	287	73%
Medical	109	18%	136	33%	136	30%	121	44%	78	21%
Preplacement Visit	99	19%	17	6%	0	-	0	-	0	-
Court	36	89%	49	90%	68	79%	37	78%	81	79%
Other	25	40%	21	86%	14	100%	13	92%	136	4%

Analysis conducted by the Vermont Performance Indicator Project (PIP).  
Based on the Adult Involuntary Transportation Data Set maintained by the VT Department of Mental Health.  
Date of Report: 1/17/12

**Vermont Department of Mental Health**  
**SECURE ADULT INVOLUNTARY TRANSPORTATION**  
**Type of Secure Transport Restraint**  
**Five Year Overview (December 2006 - November 2011)**



**Type of Secure Transport Restraint**

	DEC06-NOV07					DEC07-NOV08					DEC08-NOV09					DEC09-NOV10					DEC10-NOV11									
<b># Secure Transports</b>	284					295					377					338					294									
<b>with Data Available*</b>	81					250					376					328					362									
	<b>#</b>	<b>%</b>	<b>%</b>	<b>%</b>	<b>%</b>	<b>#</b>	<b>%</b>	<b>%</b>	<b>%</b>	<b>%</b>	<b>#</b>	<b>%</b>	<b>%</b>	<b>%</b>	<b>%</b>	<b>#</b>	<b>%</b>	<b>%</b>	<b>%</b>	<b>%</b>	<b>#</b>	<b>%</b>	<b>%</b>	<b>%</b>	<b>%</b>	<b>#</b>	<b>%</b>	<b>%</b>	<b>%</b>	<b>%</b>
<b>Overall*</b>	81	91%	0%	0%	9%	250	88%	4%	0%	8%	376	70%	3%	7%	19%	328	59%	0%	29%	13%	293	73%	0%	26%	1%					
<b>Gender</b>																														
<b>Male</b>	39	95%	0%	0%	5%	162	90%	3%	0%	7%	212	68%	4%	8%	20%	195	60%	0%	29%	11%	180	78%	0%	20%	2%					
<b>Female</b>	42	88%	0%	0%	12%	88	84%	7%	0%	9%	164	72%	2%	7%	18%	133	56%	0%	28%	16%	113	65%	0%	35%	0%					
<b>Age</b>																														
<b>18-34</b>	36	97%	0%	0%	3%	106	89%	4%	0%	8%	182	75%	4%	4%	18%	143	64%	0%	28%	8%	140	74%	0%	26%	1%					
<b>35-49</b>	26	85%	0%	0%	15%	78	87%	4%	0%	9%	83	65%	5%	6%	24%	97	62%	0%	25%	13%	84	76%	0%	23%	1%					
<b>50-64</b>	18	89%	0%	0%	11%	51	90%	6%	0%	4%	92	73%	1%	13%	13%	77	47%	0%	34%	19%	58	67%	0%	31%	2%					
<b>65+**</b>	1	100%	0%	0%	0%	15	80%	7%	0%	13%	19	32%	0%	21%	47%	11	45%	0%	36%	18%	11	82%	0%	18%	0%					

\*Information on type of restraint was recorded only during the last five months for the 12/2006-11/2007 time period.

Analysis conducted by the Vermont Performance Indicator Project (PIP).  
 Based on the Adult Involuntary Transportation Data Set maintained by the VT Department of Mental Health.  
 Date of Report: 1/17/12

Act 180 - Transportation of Individuals in the Custody of the Commissioner of Mental Health  
Attachment – D

**Vermont Department of Mental Health  
ADULT INVOLUNTARY TRANSPORTATION  
One Year Overview (December 2010 - November 2011)  
(582 Transports of 296 Adults)**

	<u>Total Transports</u> #	<u>Type of Transport</u>					
		<u>Secure</u>		<u>Non-Secure</u>		<u>MH Alternative</u>	
		Total #	Row %	Total #	Row %	Total #	Row %
<b><u>Total</u></b>	<b>582</b>	<b>294</b>	<b>51%</b>	<b>280</b>	<b>48%</b>	<b>8</b>	<b>1%</b>
<b><u>Gender</u></b>							
Male	371	181	49%	188	51%	2	1%
Female	211	113	54%	92	44%	6	3%
<b><u>Age</u></b>							
18-34	230	140	61%	88	38%	2	1%
35-49	169	84	50%	81	48%	4	2%
50-64	129	59	46%	69	53%	1	1%
65+	54	11	20%	42	78%	1	2%
<b><u>Type of Transport Decided by:</u></b>							
<b>Vermont State Hospital</b>	<b>306</b>	<b>88</b>	<b>29%</b>	<b>218</b>	<b>71%</b>	<b>0</b>	<b>0%</b>
<b>Designated Agency</b>	<b>255</b>	<b>190</b>	<b>75%</b>	<b>58</b>	<b>23%</b>	<b>7</b>	<b>3%</b>
HCRC - (Southeast)	45	41	91%	4	9%	0	0%
RMHS - (Rutland)	40	21	53%	19	48%	0	0%
HC - (Chittenden)	39	31	79%	1	3%	7	18%
WCMH - (Washington)	37	35	95%	2	5%	0	0%
CSAC - (Addison)	20	5	25%	15	75%	0	0%
NKHS - (Northeast)	18	13	72%	5	28%	0	0%
UCS - (Bennington)	18	8	44%	10	56%	0	0%
CMC - (Orange)	15	14	93%	1	7%	0	0%
NCSS - (Northwest)	13	12	92%	1	8%	0	0%
LCC - (Lamoille)	10	10	100%	0	0%	0	0%
<b>Designated Hospital</b>	<b>21</b>	<b>16</b>	<b>76%</b>	<b>4</b>	<b>19%</b>	<b>1</b>	<b>5%</b>
Fletcher Allen Health Care	12	11	92%	0	0%	1	8%
Rutland Regional Medical Center	4	0	0%	4	100%	0	0%
Brattleboro Retreat	2	2	100%	0	0%	0	0%
Northwestern Medical Center	1	1	100%	0	0%	0	0%
Windham Center	1	1	100%	0	0%	0	0%
WRJ VA	1	1	100%	0	0%	0	0%

Analysis conducted by the Vermont Performance Indicator Project (PIP). Based on the Adult Involuntary Transportation Data Set maintained by the VT Department of Mental Health. Date of Report: 1/17/12

**Vermont Department of Mental Health  
ADULT INVOLUNTARY TRANSPORTATION  
One Year Overview (December 2010 - November 2011)  
(582 Transports of 296 Adults)**

	<u>Total</u>	<u>Secure</u>		<u>Type of Transport</u>		<u>MH Alternative</u>	
	<u>Transports</u>	<u>Total #</u>	<u>Row %</u>	<u>Non-Secure</u>	<u>Row %</u>	<u>Total #</u>	<u>Row %</u>
	<u>#</u>			<u>Total #</u>	<u>Row %</u>		
<b><u>Transport From:</u></b>							
VSH	298	81	27%	217	73%	0	0%
Other Hospital	236	178	75%	53	22%	5	2%
Criminal Justice	19	13	68%	6	32%	0	0%
Designated Agency	6	4	67%	2	33%	0	0%
Other	23	18	78%	2	9%	3	13%
<b><u>Transport To:</u></b>							
VSH	132	109	83%	18	14%	5	4%
Other Hospital	190	112	59%	75	39%	3	2%
Other (including short visits)	260	73	28%	187	72%	0	0%
<b><u>Reason:</u></b>							
Emergency	287	209	73%	70	24%	8	3%
Medical	78	16	21%	62	79%	0	0%
Court	81	64	79%	17	21%	0	0%
Other (including short visits)	136	5	4%	131	96%	0	0%

**Number of Involuntary Transports per Client:**

*(Transports during December 2010 - November 2011)*

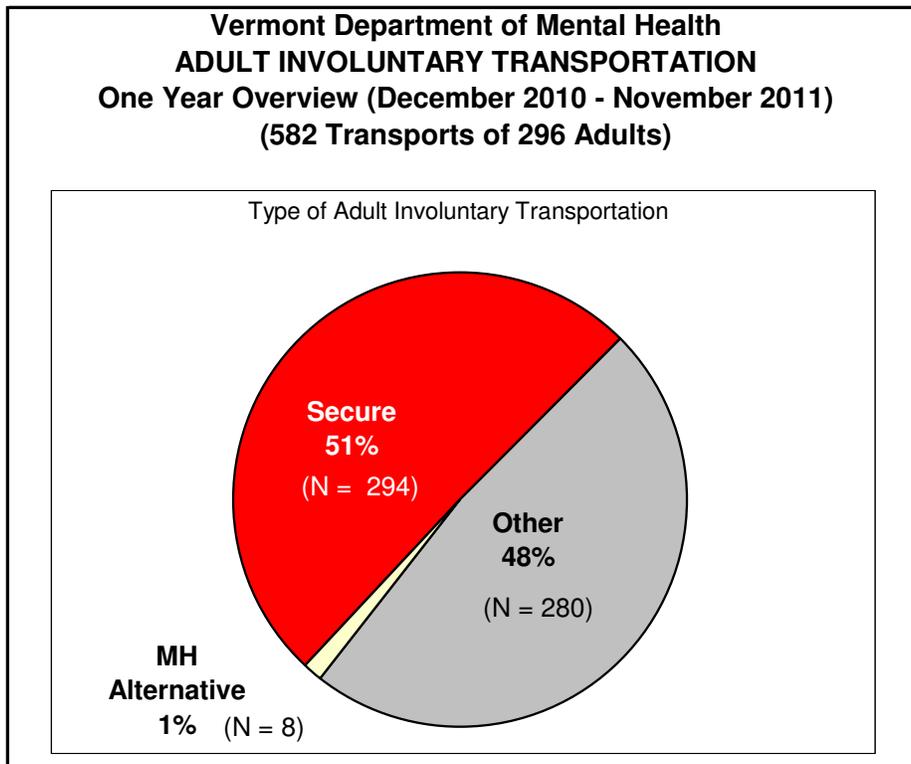
<b>Number of Transports</b>	<b>Number of Clients</b>
1 Transport	199
2 to 5 Transports	79
6 to 9 Transports	13
10+ Transports	5
<b>TOTAL CLIENTS</b>	<b>296</b>

Analysis conducted by the Vermont Performance Indicator Project (PIP). Based on the Adult Involuntary Transportation Data Set maintained by the VT Department of Mental Health. Date of Report: 1/17/12

**Vermont Department of Mental Health  
ADULT INVOLUNTARY TRANSPORTATION  
Type of Secure Transport Restraint  
363 Secure Transports during December 2010 - November 2011**

Total Secure Transports	294
Data Available	293
Type of Restraint	
Metal	215
Cloth	75
No Restraint	3

Analysis conducted by the Vermont Performance Indicator Project (PIP). Based on the Adult Involuntary Transportation Data Set maintained by the VT Department of Mental Health.  
Date of Report: 1/17/12



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