



# North Dakota Legislative Council

Prepared for the Acute Psychiatric Treatment Committee

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## STATE HOSPITALS IN NORTH DAKOTA AND OTHER STATES

This memorandum provides information regarding selected state psychiatric hospitals in North Dakota and other states.

According to the National Association of State Mental Health Program Directors, there are 195 state psychiatric hospitals in the United States, including hospitals for children, adults, geriatric adults, and individuals who have transitioned to the mental health system through the court system.

### NORTH DAKOTA

The State Hospital was first authorized in 1883, opened in May 1885, and is located on the south side of Jamestown. The State Hospital is referenced in Section 12 of Article IX of the Constitution of North Dakota. It provides psychiatric and chemical dependency treatment to residents of the state. North Dakota Century Code Chapter 25-02 contains various provisions related to the hospital, including Section 25-02-01, which provides an institution for the care of the mentally ill must be maintained in Jamestown, the institution must be known as the State Hospital, and is to be administered and controlled by the Department of Human Services (DHS).

Section 25-02-03 provides the State Hospital is an institution for mental diseases serving specialized populations of the mentally ill, including persons suffering from drug addiction or alcoholism. The State Hospital is one component of the North Dakota mental health delivery system and serves as a resource to community-based treatment programs. The State Hospital, pursuant to rules adopted by DHS, receives and cares for all persons with mental illness, including persons suffering from drug addiction or alcoholism, residing within the state, and is required to furnish to those persons all needed food, shelter, treatment, and support necessary to restore their mental health or to alleviate their illness or suffering.

The State Hospital provides short-term acute inpatient psychiatric and substance abuse treatment, intermediate psychosocial rehabilitation services, forensic services, and safety net services for adults. Clinical services include psychiatry, psychology, nursing, social work, addiction counseling, chaplaincy, education, occupational therapy, therapeutic reaction, and vocational rehabilitation services. Treatment is provided for individuals with serious mental illness or chemical dependency diagnoses. Inpatient evaluation and treatment services are provided for sexually dangerous individuals.

In October 2021, DHS reported the State Hospital has 100 inpatient acute psychiatric beds, but 25 beds have been closed due to the COVID-19 pandemic in order to establish an isolation area for residents that test positive for COVID-19.

Of the 73 inpatient beds filled at the State Hospital in October 2021, 24 beds were for rehabilitation patients, 22 beds were for geropsychiatric patients, 16 beds were for acute psychiatric patients, 7 beds were for restore-to-competency patients, and 4 beds were for jail patients. Excluding the 22 geropsychiatric patient beds, of the remaining 51 residential beds, 30 beds were for sex offender patients, 13 beds were for substance use disorder patients, and 8 beds were for transitional living patients.

### MONTANA

The Montana State Hospital is located in Warm Springs and includes 270 beds, of which 174 are licensed hospital beds, 42 are adult group home beds, and 54 are forensic mental health facility beds.

Montana Code Annotated Section 53-21-601, related to the location and primary function of the Montana State Hospital, provides the following:

1. The facility providing mental health care services at Warm Springs, Montana, is the Montana State Hospital and as its primary function provides care and treatment of mentally ill persons.

2. a. The Montana state hospital is a mental health facility of the Department of Public Health and Human Services for the care and treatment of mentally ill persons.
  - b. The role of the Montana State Hospital is to provide intensive inpatient psychiatric services, including those services necessary for transition to community care, as components in a comprehensive continuum of publicly and privately provided programs that emphasize treatment in the least restrictive environment.
  - c. The mission of the Montana State Hospital is to stabilize persons with severe mental illness and to return them to the community as soon as possible if adequate community-based support services are available.
3. The Department of Public Health and Human Services must adopt rules to manage the state hospital patient population in a manner that will ensure emergency access to services, protect public and individual safety, provide active treatment, implement effective discharge planning, and ensure access to appropriate community-based services.

## SOUTH DAKOTA

The South Dakota Human Services Center is located in Yankton and includes 277 beds for patients enrolled in the adult acute psychiatric, adult psychiatric rehabilitation and recovery, geriatric nursing home, adolescent psychiatric, and adult substance use disorder program. The adolescent psychiatric program includes 51 beds and provides inpatient psychiatric treatment for individuals 12 through 17 years of age.

South Dakota Codified Laws Section 27A-4-1, related to the establishment and location of the South Dakota Human Services Center, provides the following:

The state hospital for the mentally ill, as now established and located on the southeast quarter of section thirty-six, township ninety-four north, range fifty-six west of the fifth principal meridian, and on adjacent land owned by the hospital, near the city of Yankton, in Yankton County, shall be known as the South Dakota Human Services Center. The South Dakota Human Services Center and any other locations established as branch facilities of the Human Services Center shall be under the direction and control of the Department of Social Services.

Section 27A-4-8, related to the establishment of psychiatric units at the South Dakota Human Services Center, provides the following:

The Department of Social Services shall establish, at a minimum, appropriate acute, intermediate, and long-term psychiatric units at the South Dakota Human Services Center. Such units shall provide care, treatment, and rehabilitative services to those patients with mental illness specifically needing inpatient psychiatric treatment and admitted according to law. The Department of Social Services may establish other special units as it may determine necessary.

Section 27A-4-9, related to the establishment of a juvenile unit at the South Dakota Human Services Center, provides the following:

The Department of Social Services may establish a juvenile mental health unit at the South Dakota Human Services Center. Such unit shall provide for the care, treatment, and education of adolescents in need of inpatient treatment. Voluntary or involuntary admission to the juvenile mental health unit shall require a preadmission determination by the administrator of the Human Services Center that the admission is appropriate and within the capacity of the unit established by the secretary of social services.

## MINNESOTA

Minnesota opened its first state hospital in 1866 but has closed 10 of 11 of its "large" state hospitals. The remaining state hospital is a 110-bed facility located in Anoka called the Anoka-Metro Regional Treatment Center. Minnesota operates six smaller subacute hospitals, also called community behavioral health hospitals or regional treatment centers. These facilities each contain 16 beds and are located in Alexandria, Annandale, Baxter, Bemidji, Fergus Falls, and Rochester. Minnesota also operates the Minnesota Security Hospital in St. Peter for individuals with mental illnesses who have been committed by the court system.

Subdivision 1 of Minnesota Statutes Annotated Section 245.474, related to the availability of regional treatment center inpatient services at regional treatment centers, provides the following:

By July 1, 1987, the commissioner shall make sufficient regional treatment center inpatient services available to adults with mental illness throughout the state who need this level of care. Inpatient services may

be provided either on the regional treatment center campus or at any state facility or program as defined in section 246.50, subdivision 3. Services must be as close to the patient's county of residence as possible. Regional treatment centers are responsible to:

- Provide acute care inpatient hospitalization;
- Stabilize the medical and mental health condition of the adult requiring the admission;
- Improve functioning to the point where discharge to community-based mental health services is possible;
- Strengthen family and community support; and
- Facilitate appropriate discharge and referrals for follow-up mental health care in the community.

Subdivision 2 of Section 245.474, related to quality of services at regional treatment centers, provides the following:

The commissioner shall biennially determine the needs of all adults with mental illness who are served by regional treatment centers or at any state facility or program as defined in section 246.50, subdivision 3, by administering a client-based evaluation system. The client-based evaluation system must include at least the following independent measurements: behavioral development assessment; habilitation program assessment; medical needs assessment; maladaptive behavioral assessment; and vocational behavior assessment. The commissioner shall propose staff ratios to the legislature for the mental health and support units in regional treatment centers as indicated by the results of the client-based evaluation system and the types of state-operated services needed. The proposed staffing ratios shall include professional, nursing, direct care, medical, clerical, and support staff based on the client-based evaluation system. The commissioner shall recompute staffing ratios and recommendations on a biennial basis.

Section 253.016, related to the purpose of regional treatment centers, provides the following:

The primary mission of the regional treatment centers for persons with major mental illness is to provide inpatient psychiatric hospital services. The regional treatment centers are part of a comprehensive mental health system. Regional treatment center services must be integrated into an array of services based on assessment of individual needs.

Section 253.017, related to treatment provided by state-operated services, provides the following:

The state-operated services shall provide active psychiatric treatment according to contemporary professional standards. Treatment must be designed to:

- Stabilize the individual and the symptoms that required hospital admission;
- Restore individual functioning to a level permitting return to the community;
- Strengthen family and community support; and
- Facilitate discharge, after care, and follow-up as patients return to the community.

Section 253.20, related to the Minnesota Security Hospital, provides the following:

The commissioner of human services shall erect, equip, and maintain in St. Peter and other geographic locations under the control of the commissioner of human services suitable buildings to be known as the Minnesota Security Hospital, for the purpose of providing a secure treatment facility for persons who may be committed there by courts, or otherwise, or transferred there by the commissioner of human services, and for persons who are found to be mentally ill while confined in any correctional facility, or who may be found to be mentally ill and dangerous, and the commissioner shall supervise and manage the same as in the case of other state hospitals.

## UTAH

The Utah State Hospital is located in Provo and includes 370 beds, including 152 beds for adults with severe mental illness, a 20-bed children's program, a 52-bed adolescent program, and a 146-bed program for individuals needing forensic services, of which 124 are hospital beds and 22 are jail beds.

Utah Code Annotated Section 62A-15-610, related to objectives of the Utah State Hospital and who may be admitted to the State Hospital, provides the following:

1. The objectives of the State Hospital and other mental health facilities shall be to care for all persons within this state who are subject to the provisions of this chapter; and to furnish them with the proper attendance, medical treatment, seclusion, rest, restraint, amusement, occupation, and support that is conducive to their physical and mental well-being.
2. Only the following persons may be admitted to the State Hospital:
  - a. Persons 18 years of age and older who meet the criteria necessary for commitment under this part and who have severe mental disorders for whom no appropriate, less restrictive treatment alternative is available;
  - b. Persons under 18 years of age who meet the criteria necessary for commitment under Part 7, Commitment of Persons Under Age 18 to Division of Substance Abuse and Mental Health, and for whom no less restrictive alternative is available;
  - c. Persons adjudicated and found to be guilty with a mental illness under Title 77, Chapter 16a, Commitment and Treatment of Persons with a Mental Illness;
  - d. Persons adjudicated and found to be not guilty by reason of insanity who are under a subsequent commitment order because they have a mental illness and are a danger to themselves or others, under Section 77-16a-302;
  - e. Persons found incompetent to proceed under Section 77-15-6;
  - f. Persons who require an examination under Title 77, Utah Code of Criminal Procedure; and
  - g. Persons in the custody of the Department of Corrections, admitted in accordance with Section 62A-15-605.5, giving priority to those persons with severe mental disorders.

### **WEST VIRGINIA**

West Virginia operates two acute psychiatric hospitals, the Mildred Mitchell-Bateman Hospital located in Huntington and the William R. Sharpe, Jr. Hospital located in Weston. The facilities have a combined 260 beds for individuals needing psychiatric services.

The Annotated Code of West Virginia Section 27-1-6, related to the definition of a state hospital, provides the following:

"State hospital" means any hospital, center or institution, or part of any hospital, center or institution, established, maintained and operated by the Division of Health, or by the Division of Health in conjunction with a political subdivision of the state, to provide inpatient or outpatient care and treatment for the mentally ill, intellectually disabled or addicted. The terms "hospital" and "state hospital" exclude correctional and regional jail facilities.

Section 27-2-1, related to state hospitals and other facilities, provides the following:

The state hospitals heretofore established at Weston, Huntington and Lakin, are continued and known respectively as the William R. Sharpe, Jr. Hospital, Mildred-Mitchell Bateman Hospital and Lakin Hospital. These state hospitals and centers are managed, directed and controlled by the Department of Health and Human Resources. Any person employed by the Department of Mental Health who on the effective date of this article is a classified civil service employee shall, within the limits contained in section 2, article 6 of chapter 29 of this code, remain in the civil service system as a covered employee. The Secretary of the Department of Health and Human Resources is authorized to bring the state hospitals into structural compliance with appropriate fire and health standards. All references in this code or elsewhere in law to the "West Virginia Training School" shall be taken and construed to mean and refer to the "Colin Anderson Center."

### **MISSISSIPPI**

Mississippi operates two primary state hospitals--the Mississippi State Hospital located in Whitfield and the East Mississippi State Hospital located in Meridian. The Mississippi State Hospital operates the Specialized Treatment Facility for the Emotionally Disturbed. The East Mississippi State Hospital operates satellite facilities known as the North Mississippi State Hospital, South Mississippi State Hospital, and the Central Mississippi Residential Center.

The Mississippi State Hospital has 311 beds for its adult acute and continued treatment psychiatric, child and adolescent psychiatric, forensic, and adult and adolescent substance use programs. An additional 276 beds are dedicated to nursing home programs. The East Mississippi State Hospital has 407 psychiatric and chemical

dependency beds, as well as 226 nursing home beds. The North Mississippi State Hospital and South Mississippi State Hospital each contain 50 beds and the Central Mississippi Residential Center is comprised of four 12-bed group homes.

The Annotated Mississippi Code Section 41-17-1, related to hospitals for treatment of persons with mental illness, provides the following:

Mississippi State Hospital at Whitfield, East Mississippi State Hospital at Meridian, North Mississippi State Hospital at Tupelo, South Mississippi State Hospital at Purvis, the Specialized Treatment Facility for the Emotionally Disturbed in Harrison County, and the Central Mississippi Residential Center at Newton are established for the care and treatment of persons with mental illness, free of charge, except as otherwise provided.

Section 41-19-251, related to North Mississippi State Hospital and South Mississippi State Hospital facilities, provides the following:

The purpose of Sections 41-19-251 et seq. is to create, construct, equip, and maintain two (2) facilities for the acute care treatment of persons with mental illness who have been committed by the chancery court pursuant to Section 41-21-61 et seq., which shall be known as the North Mississippi State Hospital and South Mississippi State Hospital. The South Mississippi State Hospital shall not be constructed or established until such time as sufficient funds have been appropriated or otherwise made available for that purpose by the Legislature.

Section 41-19-257, related to patient eligibility at Mississippi state hospitals, provides the following:

Persons who have attained the age of eighteen (18) years, who have been determined to be a mentally ill person as defined in Section 41-21-61 and who have been committed for treatment by the chancery court pursuant to Section 41-21-61 et seq. shall be eligible for acute treatment at the facilities.