Psychiatric Advance Directives

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Allentown State Hospital, Pennsylvania, 1912
Legal Webinar Series
Spotlight on Mental Health: Understanding Psychiatric Advance Directives
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Integration not segregation!

Community-based Resources
Psychiatric Advance Directives

What?

Declaration for Mental Health Treatment

- Psychoactive Medications
- Convulsive Treatment
- Preferences for Emergency Treatment
Identification of:

- Medical Power of Attorney
- Veteran status
- Next of kin

Preferences Regarding Notification of Others

- Individual may not be able to contact loved ones upon hospital engagement.
- HIPAA waived for notification only

Practical Matters

- Household: Rent, bills, pets, plants, mail
- Employment/Education
- Attorney/Probation
Additional Critical Information

- Law enforcement and crisis personnel
- Medical conditions

Effective Communication

- ADA Title II
- Lawyers and Courts: Criminal and Civil
- The chicken and its egg. The egg and its chicken.

ADA and Integration:

Opportunity and Responsibility
Access to communication: Accommodations across disabilities

Potential barriers to access to communication: People with serious mental illnesses (SMI)

- Unspoken forms of communication
  - Eye contact, body language, facial expressions, tone, volume
- Sensory
  - Lighting, noise, clothing, crowding (people and/or objects)
  - It is a bad time.
    - Stress, sleep, schedule, time of day, day of week

Access to communication: Possible accommodations for people with SMI

- Awareness, willingness to make changes
- Avoid drawing conclusions based on expectations:
  - Eye contact, body language, facial expressions, volume, clothing, hygiene
- Sensory adjustments
  - Lighting, noise, crowding, clothing
- Reschedule
  - Stress, sleep, schedule, time of day, day of the week
- Additional time
PADs provide the individualized information!

Access to a common language

Potential barriers to access to a common language:
People with serious mental illnesses (SMI)

- Terms of art
- Different words for the same thing
  - Coke, soda, pop; Kleenex, tissue
- Same word or phrase with different meanings
  - Restricted food; "in the country"; elopement
- Loaded words
  - Homeless, traveler
Access to a common language:
Possible accommodations for people with SMI

- Avoid terms of art
- Definitions/descriptions rather than words
- Alternate words
- Simplify
- Remember that the same word may have different meanings
- What do you mean by ____? What do you mean by ___?

PADs provide the individualized information!

Access to physical and public spaces
Access to physical and public spaces: Accommodations across disabilities

Potential barriers to access to physical and public spaces: People with serious mental illnesses (SMI)

- Crowding, people and/or objects
- Freedom of movement; ability to exit
- Sensory: noises and lighting

Possible accommodations for people with SMI

- Alternate space
- Less crowded area
- Access to the door
- Positioning within the room
- Sound and lighting
- Personal belongings/assists
- Advance preparation
- Additional time
PADs provide the individualized information!

Civil: Lawyers, community advocates, community providers, medical personnel

- Identify the disability manifestations for SMI.
- Provide accommodations as we would for people with other disabilities.
- Advocate for access!
- Advocate for integration!

Criminal Law: Law enforcement, lawyers, courts, probation, criminal competency

- Identify the disability manifestations for SMI.
- Provide accommodations as we would for people with other disabilities.
- Avoid escalation.
- Avoid arrest.
- Probation
- Re-entry
- Competency
People with mental illness need lawyers to provide accommodation in representation.
PADs are a tool that give us the tools to fight for integration.

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Questions
Session Evaluation
Your feedback is important to us

You will receive an email following the session with a link to the on-line evaluation.

Next ADA Legal Webinar Series Session:
Mark your Calendar
January 15, 2021
Top ADA Cases of 2020
Registration is available:
www.ada-legal.org