



Assisted Outpatient Treatment "AOT"

Laura's Law

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Health Care Agency
Behavioral Health Services



Who can request AOT?



- Immediate Adult family members
- Adults residing with the individual
- Director of treating agency, organization, facility or hospital
- Treating licensed mental health professional
- Peace officer, parole or probation officer supervising the individual



AOT Criteria




- County resident, minimum 18 years of age
- Person is suffering from a mental illness
- There has been a **clinical determination** that the person is unlikely to survive safely in the community without supervision.



AOT Criteria-Cont. 


- The person has a history of lack of compliance with treatment for his or her mental illness, in that at least one of the following is true:
 - A. The person's mental illness has, at least twice within the last 36 months, been a substantial factor in necessitating hospitalization, or receipt of services in a forensic or other mental health unit of a state correctional facility or local correctional facility
 - OR



AOT Criteria-Cont. 

- B. The person's mental illness has resulted in one or more acts of serious and violent behavior toward himself or herself or another, or threats, or attempts to cause serious physical harm to himself or herself or another within the last 48 months.
- not including any period during which the person was hospitalized or incarcerated immediately preceding the filing of the petition.



AOT Criteria-Cont. 

- The person has been offered an opportunity to participate in the development of their treatment plan for services and continues to fail to engage.
- The person's condition is substantially deteriorating.
- AOT would be least restrictive placement, that is appropriate and feasible, and necessary to ensure person's recovery and stability.



AOT Criteria-Cont.



- In view of the person's treatment history and current behavior, the person is in need of assisted outpatient treatment in order to prevent a relapse or deterioration that would be likely to result in grave disability or serious harm to himself or herself, or to others, as defined in Section 5150.



AOT Screening



- County of Orange Assisted Outpatient Treatment Team includes:
 - Mental Health Specialist's, licensed clinicians, and psychologist
- AOT team will conduct all outreach, screening, and assessments prior to court order.



AOT Process



- AOT referrals will be screened face to face by County Outreach and Engagement Team.
- The team will respond and make all efforts to engage referred candidate and offer voluntary services.
- If services are accepted, referred candidate will be linked to appropriate provider and process will stop here.



AOT Process



- If AOT candidate refuses services but is open to engagement, the team will continue to see client as they gather supporting evidence of criteria and continue to offer/facilitate linkage to services (building relationship).
- The AOT Outreach and engagement team will continue to engage candidate until such time that it is determined that candidate will not engage or accept services voluntarily, AOT is best course of action and that all criteria can be substantiated in court.



Petition Process (Pre-Hearing)



- Petition will only be filed if criteria can be proven by clear and convincing evidence
- Petition filed with County Counsel
- County Counsel will file petition with court and notify Public Defender and Patients Rights
- Candidate will be offered settlement prior to proceedings



Petition Process (Pre-Hearing)



- If candidate refuses, "Court may order that the person consent to examination"
- If person refuses, court may order person be taken to hospital for examination for up to 72 hrs
 - Purpose of examination is to determine if an individual meets AOT clinical assessment criteria
 - An order for evaluation under this section is not an order for treatment



AOT Hearing Process



- Subject of AOT Petition has a right to legal counsel
- Court hears testimony and recommendations
- If the court finds that the person meets the criteria for AOT, and there is no appropriate and feasible less restrictive alternative, the court may order AOT
- Hearing may be conducted in absence of the person ONLY if:
 - County has personally served a copy of the petition
 - given written notice and can show that appropriate attempts to elicit the attendance of the person have failed



AOT Petition Granted



- If granted in court, the treatment plan developed may not exceed six (6) Months
- Candidate will be linked to Full Service Partnership Program for treatment plan implementation



AOT Granted (continued)



- If person refuses to comply with the ordered treatment, there is strong belief that criteria for AOT is still present and efforts were made for voluntary compliance, the treatment provider may request that the person be transported for evaluation pursuant to WIC 5150
- However, if at any time the person is determined not to meet criteria for 5150, that person must be released, unless they voluntarily agree to stay in the hospital.



AOT Granted (continued)



- Failure to comply with AOT order alone may not be grounds for involuntary assessment or hospitalization or a finding that the person ... is in contempt of court
- There are no civil or criminal penalties for violation of an AOT Order and treatment plan



AOT Implementation (continued)



- FSP Program Director files affidavit each 60 days that candidate continues to meet AOT criteria:
 - Candidate is entitled to a hearing every 60 days challenging the need for an AOT Order
 - Candidate also has a right to Habeas Corpus



AOT Implementation (continued)



- Recovery-focused, strength-based services
- Small case loads (10 to 1 ratio)
- Intensive case management/wrap-around-services
- Co-occurring disorder treatment
- 24/7 on-call staff response if needed
- Field-based services
- Peer-run activities
- Educational/Vocational assistance
- Housing specialist



AOT Treatment – Full Service Partnership Program



- All-encompassing continuum of services available just as in regular Full Service Partnership services
- Carefully tailored treatment plan
- “Involuntary medications are not allowed” as part of the AOT treatment services (W&I 5348.5.c)



AOT Treatment – Full Service Partnership Program



- Assistance with entitlements (Social Security, Medi-Cal)
- Integrated Person focus (substance use disorders, Psychiatric, Medical,
- Life Skills training
- Community integration



AOT Program Oversight



- Report to State DHCS specific outcomes
- WIC 5349. “This article shall be operative in those counties in which the county board of supervisors, by resolution, authorizes its application and makes a finding that no voluntary mental health program serving adults, and no children’s mental health program, may be reduced as a result of the implementation of this article.”
- Monitors programs to ensure training requirements are met



Annual AOT Report to DMH
Information from
June 1 to May 31 of each year.



- It is required that each county that operates an assisted outpatient treatment program provide data to the State Department of Health Care Services (DHCS) and must include, at a minimum, an evaluation on the effectiveness of the strategies employed by the and following data markers:



AOT Outcomes



1. reducing homelessness and hospitalization of persons in the program and in
2. reducing involvement with local law enforcement by persons in the program.

The evaluation and report shall also include any other measures identified by the department regarding persons in the program and all of the following, based on information that is available:



AOT Outcomes



- (3) The number of persons served by the program and, of those, the number who are able to maintain housing and the number who maintain contact with the treatment system.
- (4) The number of persons in the program with contacts with local law enforcement, and the extent to which local and state incarceration of persons in the program has been reduced or avoided.
- (5) The number of persons in the program participating in employment services programs, including competitive employment.



AOT Outcomes



- (6) The days of hospitalization of persons in the program that have been reduced or avoided.
- (7) Adherence to prescribed treatment by persons in the program.
- (8) Other indicators of successful engagement, if any, by persons in the program.
- (9) Victimization of persons in the program.
- (10) Violent behavior of persons in the program.
- (11) Substance abuse by persons in the program.



AOT Outcomes



- (12) Type, intensity, and frequency of treatment of persons in the program.
- (13) Extent to which enforcement mechanisms are used by the program, when applicable.
- (14) Social functioning of persons in the program.
- (15) Skills in independent living of persons in the program.
- (15) Satisfaction with program services both by those receiving them and by their families, when relevant.