



# Legal Rights

Mental health patients have legal rights when they are admitted to mental health facility. Patient rights in mental health facilities vary from state to state. However, most states have similar laws to protect patients rights.

**Below are common legal protections for mental health patients:**

## National Law

### Civil Rights of Institutionalized Persons Act



This law allows the U.S. government to investigate government mental health facilities for problems of care and safety of individuals. To read more about his law, click here. <http://bit.ly/MHRights>

## Common State Laws

### Involuntary Commitment & Court Hearing

Most states have a law regarding Involuntary Commitment. If you are involuntarily committed, you can be deprived of your civil rights because you are detained for a period of time and confined to a mental health facility.

**Involuntary Commitment** is when a person with a mental disorder is having a crisis and is admitted to a mental health facility for the following reasons:

- They are likely to cause harm to self or others.
- Do not have the functioning to make an informed decision for their treatment.
- They have a serious mental disorder that impairs them to individually function and complete normal, daily activities.

### Court Hearing

If you have been involuntarily committed to a facility and would like to contest your admittance to the facility, **you can attend a court hearing to testify as to why you should have not been admitted involuntarily to a facility.** Most states require that you file a petition and have an attorney present at the court hearing.



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## Voluntary Admission

**Voluntary admission** is when you willingly seek treatment at a mental health facility. If you voluntarily admit yourself to a facility, you must fill out an application and you will be evaluated by a mental health professional.

The mental health professional(s) will then decide whether you meet criteria to be admitted. **You can also make a written request to be discharged at any time.** However, mental health professionals at the facility will determine whether you should be released. This may take on average 3-5 days.

## Patient Bill of Rights



Some states have a **Patient Bill of Rights** for mental health patients.

The Patient Bill of Rights outline what a mental health patient is entitled to once they are committed in a mental health facility. To find your state's Patient Bill of Rights, use a search engine with the key words "(State Name)\_\_\_\_ mental health patient bill of rights"

Follow this link for an example of a Patient Bill of Rights:

<http://bit.ly/MHRightsExample>