



Eric Holcomb, Governor
State of Indiana

Division of Mental Health and Addiction
402 W. WASHINGTON STREET, ROOM W353
INDIANAPOLIS, IN 46204-2739

November 18, 2020

Frequently Asked Questions: Individualized Mental Health Safety Plan

1. *Do we have to use this form?/Can we use another form if it contains the same information?/Can we just adjust our current form to meet the requirements from IC 12-21-5-6?*

Agencies may use their own forms, provided they include all of the information present in State Form 56901, including documenting discussion(s) of the potential for sharing the information without consent.

2. *Can we use this form/duplicate this form in our electronic medical record (EMR)?*

Agencies may include this form and/or duplicate the form in their EMRs.

3. *Who does this rule apply to?/What is the definition of a psychiatric crisis center, etc.?*

Neither IC 12-21 nor IC 16-39 define “psychiatric crisis centers,” “psychiatric inpatient units,” nor “psychiatric residential treatment provider.” Facilities providing mental health services certified under 440 IAC 7.5 (*Residential Living Facilities for Individuals with Psychiatric Disorders or Addictions*) and/or licensed under 440 IAC 1.5 (*Licensure of Private Mental Health Institutions*) are required to comply with the requirements surrounding the Individualized Mental Health Safety Plan.

Other facilities certified or licensed by DMHA or another agency should check with their legal counsel on applicability of the statute.

4. *Will there be training available for the form?*

At this time, there are no plans for state-sponsored training on the form.



5. *What is the required date of implementation?*

Implementation should begin immediately. DMHA will review compliance during State Fiscal Year 2021 for providers certified/licensed under 440 IAC 7.5 and 440 IAC 1.5.

6. *Are we required to send a copy to the state?*

DMHA does not require that forms be submitted as they occur. A copy should be maintained in the file and provided to DMHA upon request.

7. *Does this apply to substance use treatment records?*

For providers certified/licensed under 440 IAC 7.5 and 440 IAC 1.5, DMHA reviewers would expect to see an Individualized Mental Health Safety Plan for individuals being treated for a mental health diagnosis and/or co-occurring mental health and substance use disorders. DMHA will review for format and completion of safety plans.

Facilities should review with their legal counsel policies related to disclosure of the Individualized Mental Health Safety Plan without the patient's consent in accordance with IC 16-39 and 42 CFR Part 2.

8. *Who are 'licensed mental health professionals' and 'licensed paramedics' - are there other staff that may request/be involved in a request?*

IC 16-39 does not define "licensed mental health professional" nor "licensed paramedic." Facilities should review with their legal counsel policies related to disclosure of the Individualized Mental Health Safety Plan without the patient's consent in accordance with IC 16-39 and 42 CFR Part 2.